

HISTORY OF THE INDULGENCE

Shewing its

Rise, Conveyance, Progress and Acceptance:

Together with a
Demonstration of the Unlawfulness thereof,

And an
Answer to contrary Objections:

As also a
Refutation of such as scruple to hear the Indulged.

By a
PRESBYTERIAN.

Printed in the Year MDCLXXVIII.

THE
HISTORY
OF
INDULGENCE

Shewing
The Connexion, Progress, and Extent of

Indulgence with a

View of the State of the Church

And an

Attempt to remove Objections

As also a

Representation of such as are ready to bear the Testimony

By a

FRESBYTERIAN

Printed in the Year MDCCXXVIII.

TO THE
CHRISTIAN READERS,

Particularly, the suffering Ministers and Professors in the
CHURCH of SCOTLAND.

Reverend, much honoured, and dearly beloved,

In hope, I need not tell you, (whom I look upon and address my self unto, as taught of God, not onely in the main; but, in many things that relate to our present calamitous case and condition) that the knowledge of the times, and what the Israel of God ought to do, should be your Ornament & Cognizance, distinguishing you from others, who are brutish in their knowledge: Neither need I tell you, how impossible it is to know, what the present day and hour makes indispensable dutie, without a just reflexion on what is past; for the emergents of the present day, can never be improved, so the advantage of preventing the morrow's miserie, without this; whereas hereby the present day may be made the better for yesterdaies error. Now, that you and I may be helped to a profitable reflexion upon what is past, and improve it to its just advantage, the Lord hath been pleased, in this common and unconcerned sopor of many, to put it upon the heart of a Servant of his, to whom he hath given dexteritie, of hand for the understanding, to give you and me the following History, and Account of one particular emergent, in the sad History of our time, which hath been followed with the most dismal and dire effects of any thing that hath befallen our poor Church, & the precious remnant therein, since the Holy Lord was pleased to give us up into the hand of such, as have with violence and rage, overturned that blessed and beautiful fabrick, reared up and erected amongst us by Him, who dwelt in it, and made our souls gladd in his house, while we walked with Him, and He dwelt among us.

The Epistle to the

If this History and account be carped at, and cryed out against by some, that must be borne with; for our distempers (Alas) and distractions are arisen to that heat and height, as he who rebulldeth in the gate is hated, and he who speaketh uprightly is abhorred. And yet a faithful and wise Servant, seeing how his Lord is wronged, and for what the Land is made to mourne, and the Church in hazard to be utterly ruined, may not lay his hand upon his mouth, and, to prevent the opening of the mouths of others against him, give up himself to a stupid silence. But whatever some may judge of say of what is here said, and set before us, wisdom will be justified of her Children: and I am sure, the account given will be refreshful and acceptable to many, who love the truth, and lament these our recessions and declinings from our first love & wayes. Oh if I might mix myself amongst the mourners, and those whose souls are melted & poured-out in them, in this heart-rending reflexion!

I shall at present forbear to go so far backward, as to set before your eye, (which may make you and me goe mourning to our grave, and ought to be remembered by us for that very end) what was our carriage, or rather, what were our miscarriages, in the day, when the Enemy, with displayed banner and open-faced violence, did raze and overturn all. Oh, if He would raise up some to represent us now unto ourselves, according to what we really were in that day; that so we for our part might goe mourning to the grave, and the succeeding generations might thereby take warning, and be-ware to tread our path, or trace our steps, lest, as we have done, they should stumble, fall and be broken.

Leaving therefore this sad subject, I come to make a blunt and abrupt inquiry how did we behave? What was our Posture and Practice after we had so stupidly stood by, till we saw the whole work overturned; without offering to interpose effectually to prevent its ruine, or fall with it? And now, when we ourselves were thrust from the publick Exercise of our Ministrie, are we found lamenting after the Lord? Are we found lying in the dust, loathing ourselves in the remembrance of the sad and soul-afflicting ruine, which fell under our hand? Is there now a corresponding how to excite one another unto the first Love, and to the first works of the Church of Scotland? doth the sorrow of every mans soul look-out at his eye, while he beholds the desolation of the Sanctuary, the Mountain of Zion laid waste, and the Foxes walking upon it, and considers how he hath not onely omitted the departing of the glory, but must, if he see, and lay to heart what hath been in his hand, carrie his own tormenter about with him, as having by his count-veing, or a cowardise, unworthy of the Spirit of Ambassadors for Christ, contributed

Christian Reader.

contributed to the advancement of the enemies desperate designe? Do we now meet, and set dayes apart alone and together, on this very designe, to mourn, to pour out our hearts before Him, to weep upon Him, importuning Him, and praying with all manner of prayer and supplication for Light, for Life, for Zeal, for Courage; that as being strengthened with all might, according to his glorious Power, we might be in case to stand and withstand, in so evil a day, and having done all to stand? Did we, as knowing from what had past, and as not ignorant of his devices, plead with our Lord, that we might not be left, nor led into temptation; but that we might be upheld in our integritie, and helped upon all hazards to witnesse our soul abhorrence at the wayes of these turners aside, and overturners of the work of God? Did we, as faithful Ambassadors of Christ, fixedly loyal to our exalted Prince; or as true Lovers of the soul-interest of those, who by their way had witnessed there was no feare of God before their eyes, yea that they had forgotten, or delete the apprehension of that Eternal God, who is above them; and so in the madnesse of their apostasie, without all inquirie or care, whether that way did lead them, or where it would Land them, run as enraged upon the bosses of the buckler of God Almighty? Did we, I say, deal plainly with the men of these abominations, these prodigious wickednesses, these hateful and heaven-dareing practices? Did we beseech, obtest, exhort, yea and with an Ambassadors-becoming boldnesse charge them, in the name of the living God, to returne, as they would not be turned into hell, for these their treacherous turnings away from Him, and transcendently wicked turnings against Him? Nay alas! Whatever were the secrete mournings, the sorrowings, the grievings of some, which, I hope, are on recorde in Heaven; yet, the first thing that is heard of in others, after an interval of shameful and sinful silence, is a fearless making and meddling with the stated enemies of the work of God, even while breathing-out a keenesse of cruelty against the more zealous faithful Ministers and Professors, and this fearlesse meddling (ere mourning over former unfaithfulnesses and miscarriages had gone before; ere Brethren, equallie concerned in the case, and on whom the care of the Church did equallie lye, yea and of some of them I may say, were no lesse eaten up with the zeal of His house, than the Consulters, were consulted) produced this *that fatal Indulgence*; and to use the *Vindicator*s phrase [which he in using, upon the occasion and account he makes use of it, to detestation abused] *hinc illa lachryma.*

Alas! What else but a further defection could be expected, as the issue and result of these meddlings, betwixt; (on the one part) not onely the

The Epistle to the

Chiefe Instruments of all these incumbent Calamities; but men set upon this mischief, how to destroy by dividing, and ruine by their Methodes, beyond hope of an escape or recovery, the poor remnant; and too out the remembrance of that People, and Partie, whom in their thoughts, desires and designs, they had devoted to destruction. And (on the other part) what ever the men had formerly been, or still were; yet I must say it (and let none mistake me so far, as if I intended hereby to reproach or reflect far be it from my soul; for while I am constrained to mention it, I desire to let my ink drop out of my Pen here, with a wrung and wounded heart; and to write as knowing what I now say must meet me at the Tribunal; nay, I would forbear to say it, if I did not beleve it should meet me there, if I smothered what I am now about to say, in a truth-prejudging silence) men in as ill case to have made or medled in the concerns of Christ and his Church; with the men, with whom they had then to doe, in their circumstances, as ever any Godly men in our Church were. I desire not to be put to the unpleasant necessitie of dilating this further; Nor, if necessitie be laid upon me (since it is the pure interest of truth, I desire to aime at, without respect of Persons) shall I decline it, though for that I should be yet more vile.

Now, as foregoing untendernesse & declining had paved the way, & prepared us, for this new step of further defection; so this wretched *Indulgence* hath had the most deplorable & dismal effects; & if the Lord do not graciously deliver his Servants & Church from what it tends to & threatens, it is like to be & prove more farall to the Poor languishing Remnant, than any step of defection, to which ever any Godly men were left, in the Church of Scotland. The Historie of its effects & of the bitter fruits it hath produced (which will make it the just hatred of Posteritie; as well as it is the griefe, sorrow and lamentation of many a serious soul in the Generation) is not at present my business; All I have to hint at this time, in reference to it, shall be shortly this. That however I doe not offer to make an addition of Arguments (for that were superfluous, Considering what the *Author* of the following Discourse hath so nervously adduced) yet let me addresse my self without offence; not as an acute disputant, but as a poor blunt, plain, open-hearted well wisher, to the Work and Interest of Christ, to my *Indulged Brethren* (not a few of whom are dear to my soul; and, I hope, though they should both despise me and despitefully use me, shall be so) in a few plain Questions.

Now then the *Indulgence* is embraced, and thanks to the givers are rendered by the takers. I Ask therefore *First*, If they could, after this their acceptance and giving of thanks to the Council, have withdrawn from that

Christian Reader.

that appearance, and sisted themselves before Christ Jesus, the King of his Church, and, with a sweet serenitie of soul have had confidence to offer their thanks to Him, for being helped to witnesse a good Confession against the wickednesse of this Invasion, made by the Overtures of his work, upon his Royal Prerogative, who built the house, and must beare the Glory; for it was either then or never, that it was to have been done. *Secondly*, Let me aske; are they so very cleare and confident in the case, as they can, not onely in dealing with men, hold up their face, and affirme, without hinck or hesitation, that this is their rejoycing, even the testimonie of their Conscience; that in simplicitie and Godly sinceritie, not with fleshly wisdom, but by the Grace of God, they have had their Conversation before all men, and more abundantly towards these backslideing Rulers, before whom they appeared, now declared enemies to the Work of God, and invaders of His Throne and Prerogative: But are they also content to be carried before the Tribunal of Christ, with this acceptance from those, who have exautorat their Lord and Master, in their hand; and to have the qualitie of their Love to the coming of His Kingdom, and their Loyaltie to Christ Jesus, now opposed and put from the exercise of his Royal Government by the Partie Indulgeing, in this very *Indulgence*, tried by such a Test? It were fit, sure, to think on this, and lay it to heart; for each receiver may lay his count with it, that soon or syne he shall be put to it. *Thirdly*, Let me aske (though I put it out of doubt, they doe, and far be it from me to think otherwise) whether they believe, that Christ, who purchased His Church, and bought His Crown with His precious blood, lives also to make intercession, and to plead his own purchase, and Procure, by vertue of the Price He hath payed, the execution of the written vengeance upon all, who will strive with Him for State and Supremacy in ordering the affairs of his house, the Church of the living God; or who will, in their desperat daring and rage, revolt and exautorat Him by their Law (which is a legal and explicit bursting of his bonds, casting away his cords from them, and, in contempt of, and Contradiction to the Christ of God, a formal taking of His house in Possession) as our Rulers have done; to the out-doing, in this affront to Jesus Christ, all that ever went before them; or as if they were resolved never to be out-done by any, who should come after them, in a coping with the Mediator, and a down-right denial of Him to be King (for now they have put *Cesar* in his Place) sure, the Indulged Brethren neither can nor will deny this: Then they must give me leave to assert and subsume (what hath been, as oft upon my soul, as I thought upon their carriage at that appearance (yea,

The Epistle to the

if they speake consequently to the supposed concession, they must agree with me in it; That with the same objective assurance, I beleieve the Right that Christ hath bought, to be sole and supreme, in regulating all the affairs of His own house, to have none to share with Him in the Autocratick, Architectonick and Magisterial Power of making Lawes, to oblige the Conscience of his Subjects, nor to be in case to give a Ministerial Power besides himself; And as I beleieve the firmnesse of the stipulation betwixt Iehovah and his Anointed, to secure unto him his throne; and take vengeance on all his Adversaries, and as I beleieve he lives to make intercession; so I must beleieve also that, at that very instant, when the Indulged stood before the Council, and by their mouth made such a harangue; The Mediator, who is set down, at the right hand of God, was interceeding and pleading by his blood, by his wounds and Passion, for the execution of the purchased and promised vengeance upon such, who by the complex of this very deed, in a defiance to the everlasting Decree, whereby his throne is Established, declared, they had taken unto themselves His house in Possession. Ah; *my deare Brethren*, can the thoughts of such a discord & discrepancy betwixt His intercession in heaven, and your haranguing on earth, enter into your soul (and I give you the defiance to enter into the serious thoughts of the matter, and hold them out) or be reflected upon, without Terroure, Trembling, Confusion of face, Shame and Astonishment.

Now *my reverend and very deare Brethren*, may I not, upon this occasion, make bold to fall before you as prostrat, and with the teare in mine eye, (for I have confidence to say it, I scarce see my Paper, while by my Pen I make this addresse unto you,) humbly and earnestly beg of you, request, beseech and obtest you, for your blessed and glorious Master's sake, who is now Crucified againe amongst us, from whose head the crown is taken; for His Churches sake, whereof he hath made you Ministers, and so magnified you amongst men, in sending you into the world, under the Character of his Ambassadors; for your poor broken hearted and bleeding Brethrens sake, as ever you would be amongst the restorers of our breaches; as ever you would againe be as some of you were in times past, as the chariots and horsemen of Israel; as ever you would wish to be brought againe to keep His Courts, and to judge His house; and, when that work is over, to have a Place amongst them that stand by; as you would not be the occasion of the rupture and utter ruine of the small remnant (for God and all good and understanding men will refound this distracting and remnant-destroying Division, that is amongst us, upon this *Indulgence*); as you tender the

Christian Reader

the good of the Posteritie, and would give an unquestionable evidence, how intensely you desire, that Jesus Christ may reign and rule without a competitor, when you are gone; As you Love to live at peace with God, and enjoy, as feeding Pastors and faithful Witnesses to your Lord, a sweet serenity of soul? Nay as ever you expect to goe off the stage in good termes with God, and have your Masters welcome of *well done, good and faithful servants*, and be enrolled, when you are gone, amongst the Confessors of his name, and holders fast of the word of his Testimonie, and such as had obtained mercy to be valiant for the truth: Let me, I say, upon all these, and many other accounts, make bold to beseech you, without more debate, without more delay, to deliver yourselves; to deliver the Church; to deliver your wounded, weeping and overwhelmed Brethren; and to deliver the Posteritie from the snare of that cause-destroying, Church ruining, remnant-divideing *Indulgence*. Do not say, I would wheedle and fool you into an irrational implicitnesse or bogle you into a relinquishing of what you have embraced, with a parcel of words, wherein is nothing to convince you of the evil of what you have done, Read but the following History; and if, as in His sight, without prejudice or mind-occacating Passion you Peruse it, I am not without hope; but you will suffer yourselves to be overcome (which will be one of the greatest Victories you have ever obtained,) into a compliance with the humble and earnest beseechings not of your Poor Brother onely, but of many, who are Presenting you to God, and dare seek nothing for you, till this be obtained. Do not offend at this last word; for, if it were my last, I must both confesse unto you, I have never had Confidence to seek any thing for you, since you embraced that *Indulgence*, save this; and I know, you have, since that day, been much out of the Praiers of many serious Prayers, to whom you were, and yet are, deare, which hath been none of your advantage; yea whatever use you may make of it, yet fidelitie to you put me to use this freedom; that I have not onely found my self in fetters, but I have observed more fervent Judicious and gracious Persons, to whom it was a case of Conscience; yea who had no Confidence to represent you to God, as a Part of that suffering remnant, for whom they essayed to Pour out their heart before Him, whereat you will cease to wonder, when you consider that to them, the *Indulgence* was a Defection. But if the following History Prevail not with you, yet Let the History that God hath written agaimst that acceptance doe; Least He impose the necessitie upon some to transcribe it, and set it before your eye, for your further Conviction, and a Caution to the Posteritie. But to close

The Epistle to the

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Christian Reader

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The Epistle to the

this, give me leave, *Deare Brethren*, to say this one word more; that often, under my sinking soul-anguish and sorrow, because of this *Indulgence*, and its woeful effects, I have with an anticipat complacency essayed to allay the sharpnesse of my sorrow, and to flatter my self into a cheerfulness in the pleasant expectation and hope, that amongst the Indulged themselves, amongst so many Godly men, there was more than a *may* be of hope, that the Lord would pitch upon some of these, and make use of them, to discover, with more conviction and advantage, the evil of this *Indulgence*, than any else is in case to doe: Blessed shall that man or these men be! And O that I may not be disappointed in this expectation!

I know, the following History will fall under the severe Censures of many; and not a few will be ready to cry-out against it, (who shall never be able to answer its reason, but by clamour) as unseasonable; I grant indeed, that it is the great Qualification of writing and speaking, that it be seasonable; and it is also the great commendation of Hearers and Readers, that they have that wisdom of heart as to discern both time and judgement; for as a word in season and fitly spoken is like apples of gold in pictures of silver; so it is a rare thing, especially in a declining time, to be in case to judge what is truly such, and, as having escaped the mistakes arising from pre-conceived Prejudices, to approve that which is more excellent; but whatever Prejudice may prompt some to say; yet what is said by this wise Reprover will be found and entertained as an ear-ring of gold, and an ornament of fine gold unto an obedient eare. And for my confidence in commending it, as a word in season unto the Reader, I render these reasons. *First*, If men consider the hainousnesse of guilt, which the Author hath clearly demonstrat to be wrapped up in, and inseparably connected with this *Indulgence*, they will rather say, Alas, he hath been too long in coming, to make a discoverie of its iniquitie; than complain as if he had come to soon. *Secondly*, If men take it up in its true nature and tendency, and consider impartially the qualitie of its defection, according as it is here held forth, if they speake their soul, they must say, That a standing Testimony against this evil is of more value and worth, than all of us are, when sold out of the ground. *Thirdly*, It will not fall under the Censure of unseasonableness by any, except such as doe either down-right plead for the *Indulgence* and defend it, or else connive at it, as an *aliquid nihil*, not to be regarded; and it is to me, and, I hope, will be so to many, in regard of such, that the one may be cured of their Confidence and the other of their Indifferency and detestable Neutralitie, a word in season. *Fourthly* Let this silence the clamour about

Christian Reader.

But its unseasonableness, and satissie, yea plead the indispensable necessity of it, at this time. That the Indulged Brethren have of late been more hot and high, than formerly, even to the threatening of men into a silence at its defection, by boasting us with a Vindication of the Lawfulness of their Acceptance; and therefore, as to them it ought to be justly reckoned seasonable. *Fifthly*, Because somewhat hath been of late done even by the Non-Indulged, not onely to the strengthening of the hands of the Indulged; and giving them new confidence in their course, *in obliquo*, by covering all, and carrying towards them, as if they had done nothing amiss, But upon the matter (for it is beyond my shallow capacity otherwise to interpret, or understand the deed) by a direct homologating of that *Indulgence*; for now silence, as to all speaking against this evil, is made the very Door and Porch, thorow which all the Intrants to the Ministry must passe. I hope, they will not allege, that this is misinformation, for now we have it under their own hand; and the breach of this engagement is brought and laid down as a ground, upon which a Young man is challenged; And therefore, its now simply necessary yea more then high time to discover and detect the blackness of its defection, when the Church is thus brought in bondage by it. *Sixthly*, The severe insulting over some of the poor remnant, who cannot forbear to witness their abhorrence at it, and dare not dissemble their hatred of it, constrained the Author to give the world this account, to convince them, how little reason the one Partie hath to insult thus over their poor Brethren, and how little cause the other have to be ashamed of witnessing their dislike. *Seventhly*, Because it hath been often and still is objected to us, that we have made a hideous hue and cry after it, as a thiefe, but neither would nor could render a reason, or prove it to be a coming-in not by the right door, but a climbing up by another way: And therefore, the Interest of truth constrained the Author, to give them and the world such a Plain and Publick Account of the reasons of his just dissatisfaction, as may abide *ad futuram rei memoriam*. And *Lastly*, Because there is a *may be* of hope, that as some at least of these Godly men Indulged may be hereby taken off, and all of them made more sober, and lesse violent; so it is much more to be hoped, that the Non-Indulged will hence-forth more seriously consider what way to deliver the Church from this evil, their Brethren out of the snare, and how to keep themselves free from the transgression of giving this evil any interpretative countenance; (for if God put it upon their heart to apply it, the Plaster is in their hand, to wit; a just discountenancing of this as a defection.) And withal that they will henceforth appeare more friendly towards the real Lovers of them and the cause;

The Epistle to the Reader.

cause; and holders fast of their integrity, and less severe against such, who ought to be countenanced, cherished, and encouraged for their uprightness in hating the *Supremacy*, as the spring, and all the streamers that flow from that corrupt and cursed fountain; and hereby shall they have better access, when real affection and tenderness upon these accounts is witnessed, to curbe or cure these excesses, which are not inseparable from, yea incident to the zeal of the best of Saints out of heaven; for it is there that our fire will want smother. *Dear Brethren* I shall detain you no longer from Perusing this History: And that you may in calmness and without Prejudice consider what is said; and that the Lord God himself may, as in all things, so in this thing also, give you Light, is for you the soul-desire of

Your poor afflicted Brother

and welwisher.

T H E

THE
HISTORY
OF THE
INDULGENCE.



After the unexpected Alteration (which proved indeed a Convulsion falling - out so suddenly) that came upon the Church, after the Kings restauration, when beside many other sad passages, (and too many here to be commemorated) the memorie of which may make tears trickle down from our eyes, so many of the able, painful, faithful and succesful labourers in the Vineyard of the Lord were by one Act of Council at *Glasgow Anno 1662.* put from their work; and by violence thrust out of the Vineyard, where the Lord had set them to labour; even to the number of Three hundred and above. Nor was it enough to the Rulers to banish all those by an Act from their own Parishes; but to make this banishment yet more grievous, and the life of those faithful Servants of Christ yet more bitter and less vital, they thereafter did command them to remove from their own Paroches twentie miles, six miles from a Cathedral Church, and three miles from a Brugh. After (I say) this surprizing and astonishing blow, tending so directly to the overthrow of the Lords Ministrie, in that Church, and the Introduction afterward of abused Prelacie, whereby the Church became suddainly filled with a swarme of *locusts*; and the many Acts made to enforce a compliance among the people with this defection, and actual conformity thereunto, and that so violently and rigorously, as even simple withdrawing was made seditious and criminal, and severely punished: the ejected Ministers began to think with themselves, that this tyrannical ejection did not, nor could not, unminister them, or make them no more Ministers of Christ; so as they might not preach the Gospel, wherever they were, as Ambassadors of Christ; but, on the contrary, they saw, that they lay under the wrath and displeasure of God, if they should not preach Christ; and that a necessity was laid upon them, yea and wo was unto them, if they preached not the Gospel; according to that *1 Cor. 9: v. 16.* and they observed likewise, that the necessity was now great, yea greater than ever, upon many accounts: And on the other hand, the people being

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being more and more alienated from the Swarm of *Curats*, as being not only prodigiously profane, and lascivious, vaine and ignorant (enough to demonstrate, that they were never the authorized Messengers of Christ) but also highly guilty of perjurie and defection, in their compliance with, receiving their commission immediately from, acting in subordination to, and by a power derived from the abjured Prelates, contrarie to the Word of God, the Primitive Pattern and our own Reformation, confirmed by Oaths, solemne Vowes and Covenants; and being sensible of an obligation still lying upon them to owne the outed Ministers, as the faithfull Servants of Christ, and therefore under a necessity to hear them, and to receive the Ordinances of Christ, as dispensed by them: both the one and the other saw themselves called to some other exercise, both to testifie their adherence to their former avowed Profession, their abhorrence of the abjured re-introduced Prelacie, and their willingness to keep Christ, in his pure Ordinances, in the Land.

Wherefore not a few of the more serious Ministers, bethinking themselves, and considering the many obligations lying upon them, to preach, and to be instant in season and out of season, and considering the urgent necessitie, and withall the cheerful readines and willingness of the people to hear, saw themselves called of God to preach as Ministers of the Gospel, wherever providence ordered their abode; and thereupon, as occasion offered, preached unto all such as were willing to hear; but at first (that they might as little displease the Rulers, as possible) only in private houses, and that for the most part, (if not altogether) at such times, when there was no publick Worshipe in the publick meeting places. (A superplus of caution.)

But such was the rage of the new installed Prelates, and such was their Indignation at, and Enmities against those outed Ministers, and chiefly at and against the work they were about, as knowing that if Christ were kept in the Land, and a memory only of him were reserved, they could enjoy no quiet in their usurpations; that they ceased not to stirre up the Rulers, to all extravagancies of Cruelty, for suppressing of the Innocent, Peacable and Harmeles Assemblies. Hence came severe prohibitions, discharging all such meetings under exorbitant Penalties, both upon the Masters of the houses, where these Assemblies were found, and upon the Minister found there exercising, and upon all and every one present, without exception. Hence were houses forced and searched, and many haled to prisons, and several necessitate to escape at windows with the hazard of their lives; Officers and Spies sent unto and set in several suspected places, to seize and fall upon such, as they found at such meetings, or but suspected to have been there: whence it came to passe that many, both men and women, young and old, have been dragged to Prisons, and there clost kept, as if they had been the worst of Malefactors, besides severall other outrageous and illegal Acts of Violence and Oppression committed against them, contrarie to all Law, Equitie and Conscience.

The faithfull Ministers and people, desiring still to follow the Lord, in the duty of the day, and finding so many and so great Difficulties, in their Assembling in Houses, where they were so easily attraped; and could with so great hazard meet, and with difficultie escape the hands of these Burrids, were constrained at last to keep their Meetings in the fields, though without all shelter from Cold, Winde, Snow, and Raine: Whereupon the rage and fury of the Rulers, instigated by the Prelates, did break forth into more excessive and boundless Flames: Whence came severe

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re Acts of Councel and Parliament against the same; and all wayes of cruelty imaginable taken, to suppress these House and Field meetings; field meetings being discharged under the pain of death unto the Minister and Convocator, and other grievous penalties unto such as did meet: Which course of severity and rigour hath continued unto this day: But to mention the several Steps, Methods, Means, Consequences and Effects of this Tragedie, would make too long a digression,

It is sufficient for us to notice, that the Suppressing of these Meetings hath been the butt, at which a great part (if not the far greatest) of the Acts and Actings of the Rulers have been levelled, ever since they began to appear; and the onely occasion of so many Acts of Cruelty, and of Enormities in point of Justice and Legality, they being the onely eye-sore of these Enemies to Christ and His Interest, and that which they had been hitherto, both with cruelty and craft, seeking to destroy, by Tyrannical Acts and Lawes, and by more Tyrannical and illegal Executions; as if these Assemblers had been no more lawful Subjects, but open Traitors, and the Worst of Rebels. Hence came the filling of Prisons with such as were apprehended, the sending of such Ministers as were taken into the Basse; the setting of a great summe of Money upon the Heads of some; liberty granted to Souldiers to wound and kill, in seeking to apprehend Ministers, and to apprehend and trouble any person they found on the high-ways; the selling of honest people, as Slaves, unto the French Captains, and unto Persons going to America; the Banishing of the Wives and Children of the outed Ministers, that were come to *Edinburgh* for shelter, commanding them to dislodge within the short day prefixed, under the pain of being forcibly shut up, or dragged out; the appointment of a Major in *Edinburgh*, with command over the Town Guards, and a good salary for this very end, to apprehend, at all times, all such Ministers or people, as he could finde Assembling together; the out-lawing of several Ministers, and many hundreds of Professors, discharging all supply, were it but of bread or water or of a nights lodging, to be given unto them; and what not?

In the midst of all this furie, and after the quashing by blood, illegal & most falsly patcht up forsaures, of severall estates escheating and confiscating of goods, of that trouble *Anno 1666.*, occasioned through the Barbarous Executions of illegal Commands, against simple Non-complyers with the course of Prelacy, the King (at whose instigation, or in compliance with whose Desire and Request, I know not; but that it was not of God, nor of Christ, nor of the Spirit, that I know) essayeth other meanes, and taketh other measures; (but all tending unto the same destructive end designed, to wit, the suppressing and banishing out of the Land all these Memorials of the Lords Covenanted Interest, and of his presence in the Land, the Assemblies, (I mean) of his Servants, to serve and Worshippe him; according to the pure Order of the Gospel, after the example of Christ and his Apostles, & those primitive Christians, which willingly followed and heard them,) when by cruelty the Rulers saw they were not able to attaine their end, but the more they laboured that way, to suppress these meetings, the greater and more frequent they grew, the craftie device of an *Indulgence* to some certaine select persons of the whole outed Ministers is fallen upon; which if it had been more General or Universal, than it was, had in all probability, proven an effectual meane for attaining of that, which they were so earnestly labouring for, viz. the extinction of the whole Remnant.

4.

Being now to discourse of this *Indulgence*, as it is called; we shal. beginne where it began to appear; that is at the Kings Letter to the Councel hereaneut, dated at *Windsor* the 7. of *June* 1669. which was as followeth.

CHARLES REX.

„ **R**ight Trustee &c. Wee Greet You well. Whereas by the Act of Councel and
„ Proclamation at *Glasgow* in the Yeer 1662. a Considerable number of Ministers
„ were at once turned out, and so debarred from preaching of the Gospel, and ex-
„ ercise of the Ministerie; we are graciously pleased to authorize you, our Privie
„ Councel, to appoint so many of the outted Ministers, as have lived peaceably and
„ orderly in the places, where they have resided, to returne to preach and exercise
„ other functions of the Ministry, in the Paroch Churches, where they formerly
„ served, (provided they be vacant) & to allow Patrons to preferre to other vacant
„ Churches, such others of them, as you shall approve. And that such of these
„ Ministers, as shall take Collation from the Bishop of the Diocesse, and keep Pres-
„ byteries and Synods, may be warranted to list their stipends, as other Ministers
„ of the Kingdom. But for such, as are not, or shall not be collated by the Bishop,
„ that they have no warrant to meddle with the vacant Stipend, but only to possesse
„ the Manse and Gleib; and that you appoint a Collector for these and all other va-
„ cant stipends, who shall issue the same, and pay yearly maintenance to the saids
„ not collared Ministers, as you shall see fit to appoint.

„ That all who are restored, or allowed to exercise the Ministry, be in our Name
„ & by our Authoritie enjoined, to constitute and keep Kirk-Sessions, to keep Pres-
„ byteries and Synods, as was done by all Ministers before 1638. And that such of
„ them, as shall not obey our Commands in keeping Presbyteries, be confined with-
„ in the bounds of the Paroches, where they preach, aye and while they give assu-
„ rance to keep Presbyteries for the future.

„ That all, who shall be allowed to preach, be strickly enjoined, not to admit
„ any of their Neighbour or other Paroches unto their Communion, nor Baptize
„ their Children, nor marry any of them, without the allowance of the Minister
„ of the Paroch, to which they belong, unless it be vacant for the time. And if it
„ be found upon complaint made by any Presbytery to you, our Privie Councel,
„ that the people of the Neighbour, or other Paroches, resort to their Preach-
„ ings, and deserter their own Paroch Churches, that according to the degree of
„ the offence and disorder, you silence the Minister, who countenances the same,
„ for shorter or longer time, or altogether turne out, as you see cause. And upon
„ complaint made and verified of any seditious discourse or expressions in the Pul-
„ pit, or else where, uttered by any of these Ministers, you are immediately to turn
„ them out, and further punish them according to Law, and the degree of the
„ offence.

„ That such of the outted Ministers, who live peaceably and orderly, and are not
„ reentered, or presented as aforesaid, have allowed to them foure hundredeth
„ marks Scots, Yeely, out of the vacant Churches, for their maintenance, till
„ they be provided of Churches. And that even such, who shall give assurance to
„ live so, for the future, be allowed the same yearly maintenance.

„ And seeing we have by these orders, taken away all pretences for Conventicles,

and:

and provided for the want of such as are, & will be peaceable: If any shall be found hereafter to preach without Authority, or keep Conventicles; our express pleasure is, That you proceed with all severity against the Preachers and Hearers, as seditious Persons, and contemners of our Authority. So leaving the Management of these disorders to your prudence, and recommending them to your care, we bid you farewell. Given at our Court, at *Whitehall* the Seventh day of *June* 1669. & of our Reigne the 21. Year, by his Majest. Command

LAUDERDAIL.

Ere we proceed, it will not be amiss to set down here some few most obvious remarks, to the end, we may come to understand better the nature, and true import of this *Indulgence*; where of this Letter is the ground and Basis. And

1. We see it is said, *That by the Act of Council, and Proclamation at Glasgow An. 1662. a considerable number of Ministers were at once turned out; and so (N. B.) debarred from preaching of the Gospel and exercise of the Ministrie.* Whence we cannot but observe, That those Ministers, who were by that Act at *Glasgow* banished from their Paroch-Churches, were not only debarred and hindered from preaching of the Gospel, and Exercise of their Ministrie, in their own Congregations (which could not but follow by an inevitable consequence) But in the sense and meaning of the Court, they were by vertue of that sentence debarred from, and incapacitated for preaching of the Gospel, and the Exercise of the Ministrie, any where; and so according to the meaning of the Civil Magistrate, emitting this Edict, these Ministers were *simpliciter* deposed from their Ministrie, and looked upon as men, having no longer power or warrant, before God or Man, to preach the Gospel, or dispense Ordinances, as Ministers thereof. Whence it followeth, that the *Indulgence* (as it is called) is a full and formal opening of their mouth againe; & (as to some) a Reponing of them, according to the meaning of the Indulgents; who doubtless will not say, (What ever the plain Language of their Practice be) that they have power to countermand what God hath commanded, or to discharge such, from serving Christ in the Ministrie, as he hath strickly enjoined, and that upon all highest peril, to serve him so; but they think, they have power from God, to silence Ministers from preaching when they will; and againe to open their mouths, and grant them liberty to Exercise the Ministrie, as they see good; and that the Lord Authorizeth what they do; and so, they do but what Church-judicatories were in use to do formerly, or Prelates yet do, as to such, who are under them.

Here then being a Full, Formal, and judicial Power, granted to such, as were, in the Courts Judgement, put from their Office, deprived of and debarred from the libertie of exercising the same, or any part thereof, to re-enter into the full and free Exercise of the same; it appeareth to me to be undeniable, That the accepters of this *Indulgence* have, upon the matter, assented unto this grievous inroachment upon the Privileges of the Church of Christ. Our Church never thought it competent to the Civil Magistrate, to depose Ministers from their Office, or to suspend them from the Exercise thereof. Let the *Second Book of Discipline* be viewed; Let the *CXI. Propositions* be considered; Let the *Propositions for Government* be looked upon; Let our *first or Second Confession of faith*, or the *late Confession*, drawn up at *West-Minster* be pondered; Let the writings of our worthies *Mr. Rutherford*; and

Mrs.

Mr. Gillispy be read; Yea, let all our publick proceedings, and the whole renor of the publick actings of our Church be remembered, and it will be seen, that the granting of this unto the Magistrate is point-blank contrary unto all these; Yea, & to all the writings of the Orthodox *Anti-Arminian Anti-Erasian* Divines.

But I know it will be said. That the Receivers of the *Indulgence* cannot helpe what the Magistrate saith; they know what themselves think; and as they did not look upon themselves as deposed, when banished from their own Parishes, as appeared by their preaching else where after that sentence; so they grant no such power now unto the Magistrate: Yea, when some of the Indulged were some yeers thereafter called before the Councel, it was said roundly by their Mouth, That *they had received their Ministrie from Jesus Christ*. But I answer, (1.) Though the Indulged could not cause the Magistrate speak otherwise, than he would; yet they were Masters of themselves, and of their own actions; and they had liberty to do and speak that, which before the world might testifie and declare, that they did not assent unto that assuming of Church power, but on the contrary did dissent there from, and protest against it, as a sinful Usurpation and Inroachment. What publick Protestation was, I pray, given in against this, first or last? What Plaine and Positive Testimonie was borne unto the Doctrine & Practice of our Church, in this point, which many of our forebearers did owne unto Banishment and Bloud? (2.) As for that, which was said by the mouth of some of them, (of which more afterward) it was but a poor *salvo*, in the case; because no man breathing, neither Magistrate, nor Church-Judicatory, can properly give the Ministerie; that being proper to Christ Jesus alone: Men only can Instrumentally and Ministerially convey & apply the power, which is of Christ, unto such or such a Person: now I suppose these Brethren, who spoke so by their mouth, did not think or meane, that they had their Ministrie from Christ immediatly, without the intervention of an instrumental and ministerial cause: So that notwithstanding of this, by their practice they might and did declare, that the Civil Magistrat was the Instrumental and Ministerial cause, lawfully Authorized to repon them to their Ministrie; that is, that all that power of Deposing & Reponing of Ministers, which by our Reformed Doctrine, Discipline and Practice, hath been asserted to agree only to Church-Officers and Church-Judicatories, is competent to the Civil Magistrate, as such (3.) Further it may be noticed, that a Minister once deposed, or suspended, and now reponed by a lawful Presbytery, might say the same, to wit. *That he receiveth his Ministrie from Jesus Christ, with full Prescriptions from him &c.* Without the least questioning of the lawful Ministerial and Instrumental power of the Presbyterie, in that affaire: So that it is manifest, that this could not salve them from a real acknowledging the Council upon the matter, to have the Ministerial power of Deposing and Reponing of Ministers; and that, *de jure*. (4.) It is true, their preaching elsewhere, after their Banishment from their own Congregations, will say, that in so far, they did not acknowledge themselves deposed from the function; yet it will not help much; for their bypast faithful deportment will not lessen their faime at this time, but rather aggravat their cedeing, or their silence, at the accepting of this *Indulgence*, springing forth of such a fountaine. Their by past honest carriage (I speak here upon supposition, that they did sedulously preach elsewhere, when thrust from their own Charges; though I apprehend, it will be found

true,

true, but of a few of them) should have prompted them now to a plaine declaration of their adherence to their former Principles, and of their abhorrence of such gross and Palpable Invasions upon, and Usurpation of the power, which Christ hath granted only to his Church.

2. We may remarke, that it is said, *We are graciously pleased to authorize you, our Privie Council (N.B.) to appoint so many of them &c.* and againe, *as you shall approve of.* Whence it is obvious (1.) That all the power, which the Privie Council had, was from the King; and consequently, that they go no greater length, than the Kings Letter did allow; and that their Actings could not justle with, or cross the Scope, Intent and Designe of his Maj. Letter; but fully comply therewith in all points, and in all its Designes. So that, when any doubt ariseth anent what the Council did, we must, for obtaining of Satisfaction and Cleareness, have our recourse to this *primum mobile*, the Spring and Principle of this Motion, and the Ground and Basis of the Councils Actings: Yea we must interpret the Actings and Deed of the Council by this Letter, which was their *Cynosure*, by which they were to direct their course, and their Rule and Ground of Acting. (2.) It is obvious also, that That power, which they are authorized to exercise, is a Power to appoint such and such Persons, as they think meet, and shall approve of, to go to such and such places. It was not then a Command given, or a power granted to recal the Act of *Glasgow*, whereby the Ministers were banished from their Charges; but a power to meddle with pure Church-matters, and that immediately; that is, to judge and cognosce of the Qualifications of Ministers; and so to approve or not approve of them; and a power of installing such as they approved of, in such places, as they shall think meet, and none else. These things are plaine. And it is manifest, that there is herein a Plaine, Clear, Palpable and Gross Inroachment on the Liberties of the Church, and on the Power granted to her of the Lord Christ Jesus, as no man will deny, who is not a stranger to the Word of God, and to the Principles of Presbyterian Government; and to all the Acts and Actings of our Church from the very first Reformation from Popery. Wherefore, seing it is known, that in this case, *qui tacet consensive videtur*, he who is silent, is construed to consent: And it hath been alwayes accounted in our Church (and is so also by the Word of God) a sinful compliance with a wicked course, not to give faithful, free and timeous Testimonie against the same; it is undeniable, that these indulged Persons, accepting this *Indulgence*, conveyed through such a channel, & flowing from such a fountaine, as is already shown have not only fainted, as to their duty; but are interpretatively assenters unto this Usurpation.

3. The Qualification of those, who are to be restored to the Ministrie, is here also to be remarked, in those Words, *So many of the ousted Ministers, as have (N.B.) lived peaceably and orderly, in the places, where they have resided.* I shall be far from saying, that Ministers should not live peaceably and orderly; but we ought to consider, what is accounted, *living peaceably and orderly*, by such as propose this Qualification. And that sure, to speake it in the smoothest of Termes, is a negative compliance with all their Tyranny, Oppression of Church and Countrey, Bloudshed, Overturning of the Work of God, Establishing iniquity by Law, Perjurie, Apostasie, Re-establishing of Perjured Prelars, and abjured Prelacie, intruding of Hirelings; Persecution of conscientious people, for not acknowledging of these Hirelings as lawful Ministers of the Gospel &c. That is to say, have been very quiet and silent,

as to the bearing of faithfull witnesses unto the Cause of God, and the work of Reformation, according to our solemn Oaths and Covenants; and have been loath to transgress any of their iniquous Lawes; and careful to walk and carry so, in all their deportment, as not to displease them in the least. Now I would think that this very thing should have been enough to have scared tender conscientious persons from accepting this *Indulgence*. What Son of the Church of *Scotland* could have accepted of a favour, in the bosome of which lay this Reproach? Who could have accepted of this *Indulgence*, and not with all openly have thereby declared, that he was one of those peaceable livers, for whom it was designed, and upon whom in special, as such, it was to be conferred? And however this *peaceableness* and *orderliness* was accounted a good Qualification by the Rulers; and a satisfactory Mark unto the of the fitness of these Persons, for receiving of their favours, and a sufficient ground of security unto them, that these Persons would not stand in the way of their further destructive progress, nor marre them in their further pernicious designs: It seemeth strange to me, that conscientious Sons of the Church of *Scotland*, should have suffered themselves to be looked upon, with such a special eye of favour by those Enemies, and to be distinguished from others by such a Character, as in our good times, and according to the wholesome Canons of our Church, would have exposed them unto the highest of Church Censures. Had they not then a faire occasion here, yea and a loud call, to viadicate themselves from this Aspersions, howbeit esteemed, judged and declared the prime and *indulgence*-procuring Qualification by the Rulers; and to have borne witness unto the Truth of God; if their desire to the offered favour, and love to that esteem with the Rulers, had not been too excessive and prevalent?

But there is another thing beside remarkable here, *to wit*. That here we see the Magistrate assumeth to himself power to prescribe, to determine and to judge of the necessary Qualifications of Ministers, or of their Qualifications *sine quibus non*. And moreover, That the accepters of the *Indulgence* after this manner, did, upon the matter, and interpretatively, give their assent to, and approbation of these two things: First, That the Magistrate, as such, hath power to prescribe, to specify and to declare what are indeed, and what he will have to be looked on as, the only Qualifications, necessarily requisite in Ministers: And next, That the Qualifications, by him here specified and expressed, are the only Qualifications necessarily requisite in Ministers: And consequently, that the Apostles and Primitive Ministers, who neither could nor would have lived so peaceable in reference to the Heathen Emperours, and their wicked Decrees, when no more repugnant to the Interest of Christ and of the Gospel, than the Decrees and Executions of our Rulers have been, were not rightly qualified for the Ministry. Adde to these, That hereby they acknowledged themselves to be duely qualified after this manner, that is, to have been and yet to be such, (and that deservedly, after the Court construction) as have lived peaceable and orderly, in the places, where they have resided.

4. There is another remark in the Letter obvious, where it is said [That *such of these Ministers*, (i.e. who are indulged) *shall take Collation from the Bishop of the Diocese, and keep Presbyteries and Synods, shall be warranted to lift up their heads, as other Ministers of the Kingdom. But such as are not, shall not be collated, shall have no warrant to meddle with the local stipend; but only to possess the Manse and Glebe and shall have*

have such a yearly maintenance, as the Council shall think fit to appoint out of the vacant stipends.] Though this, at the first view, may not seem very material, yet it will have its own weight, when we consider these things following. (1.) That the Law of God alloweth such, as serve at the Altar, to live by the Altar; and that the very ox, that treadeth out the Corn, should not be muzzled; and that the labourer should have his hire; as we see 1 Cor. 9. Gal. 6. ver. 6. 1 Tim. 5: 17, 18. And that all Equity and Reason requireth, that the Benefice should follow the Office, as an accessorie and consequent thereunto. (2.) That Ministers stipends are a part of the Church-rents and Emoluments; and are as proper and due unto the Ministers of the Gospel, who serve in the place, as the Rents of any mans heritage is to him, who enjoyeth it; these being irrevocablie given away and dedicated to the Church, and the said Donation confirmed and ratified by Law. (3.) Our second Book of Discipline, approved in all points by the General Assemblie, prescribeth other Collectours of these Stipends, or of the Church Rents, than such as the King or Council should name, and that in conformitie to the Word of God and Primitive Patern; as we see Chap. 9. Where, speaking of the *Patrimony of the Kirk*, and of the *Distribution thereof*; and after they have told what they meane by the *Patrimony of the Kirk*, they have these words, *To take any of this Patrimony by unlawful meanes, and convert it to the peculiar and private use of any person, we hold it a detestable Sacrilege before God*: And then they add: *That the goods Ecclesiastick ought to be collected and distributed by the Deacons, as the Word of God appoints, that they who bear Office in the Kirk be provided for, without care or solicitude*. (4.) That there is an introduction here made to that, which may ever hereafter prove noxious and hurtful to the Church; even way made to the bringing of the Ministers of the Gospel under perfect slavery unto the State; for hereby we see they must be obnoxious to them, and depend upon them, not only for the *quota* of their stipend; but also for the actual and yearly payment thereof; for yearly must there an address be made unto the Council, or to the Exchequer, by every Minister for his Stipend: though this be altered now; yet there was no appearance of it, at their accepting of the *Indulgence*, and several years after. Though this may seem but a matter of small moment; yet we think faithful Ministers should have been tender of the least thing, which might but occasion, or usher-in bondage and slavery to that poor Church, which hath had a wrestling life, what for one thing, what for another, from the very beginning: And sagacious persons might easily have foreseen, whither such a course, as this, did tend. And if hereafter the State should lay down such a course, as that in all time coming, all the Stipends through the Land should be uplifted by general Collectours, thereto appointed by them, and given-out by these againe, to such as, and in what quantity the State shall think fit, and so make the Ministers become their slaves, and to depend upon them, as if they were their domestick Servants, and Hirelings (the inconvenience of which upon many accounts cannot but be obvious to any considerate and judicious person) whom had we to blame, as first breaking the ice in this matter? And was there not here ground enough to have refused this favour (as it is accounted) thus conveyed; and to have declared, they would choose rather to preach *gratis*, than any way contribute unto the laying of such an yoke upon the neck of the Church of Scotland.

Further, see we not here, that such a snare was visible before their eyes, that either they should accept of Collation from the Prelates, and so acknowledge their dependence

dependance likewise on them, and confirme these perjured Invaders, and comply with abjured Prelacy; or otherwise become the Councel's Prisoners, which did tend to a manifest prostituting of the credite of the Ministrie, and to the obstructing of ministerial freedom and faithfulness, in declaring the mind of God, as becometh the Ambassadors of Christ?

5. The next thing to be remarked, is the Injunctions here laid upon the Indulged, which are expressed in the Letter at some length. Which Injunctions either are Lawful, or Unlawful. If they be *Lawful*. Then (1.) They must obey them without any hesitation. (2.) Then they must acknowledge the conformable Clergie, as they are called, to be lawful Ministers of the Gospel. (3.) And that it is lawful to keep the Prelar's Courts and Meetings; and thus condemn themselves, for not doing so formerly. (4.) Then the people are also obliged in Conscience to own and acknowledge these Hirelings, as lawful Ministers of the Gospel, whom they are called of God to hear and obey. But if they account these Injunctions *Unlawful*, how could they by their silence, and accepting of the *Indulgence* upon these termes, tacitely approve of the same? To say, That they did not positively approve thereof, is not enough: Yes, their not-disapproving thereof Openly, Plainly, Publickly and Avowedly, being so stated as they were, and circumstances considered, cannot but be accounted an Interpretative Approbation, by all Godly, Sober and Rational persons. Nor will it avails here to say, That these Instructions were not proposed condition-ways: For the Councel, that are both the best Interpreters of this Letter, and of their own deed, in consequence of and in compliance with the same, tell us, in their Act August 10. 1677. that the *Indulgence* was accepted upon condition of keeping and observing of these *Instructions*, in these words: *For as much as the Lords of his Maj. privy Councel, did confine several oured Ministers to particular Parishes, with allowance to preach and exercise the other functions of the Ministrie within the same; and did (N. B.) deliver unto them certain Instructions to be kept and observed, upon which they accepted the Indulgence, granted to them:* And againe, after whatsoever manner these Injunctions were proposed, yet it is certaine, as we see, they were intended so. And if these Ministers had expressly told the Councel, that they would observe none of these Injunctions, because they judged the same unlawful, and themselves obliged in conscience to declare the same; shall any think, that the Councel would have granted them this *Indulgence*? Had not that been a direct crossing of the designe and purpose of the King and Court? How should then the people have been amused into a stupide quietcence, and ass-like couching under the burden, and blown-up with an irrational and groundless expectation of some desirable change?

It cannot, moreover, here satisfy, to say, That they undertook nothing, but resolved to do, as they found cleareness; and when they were not clear to obey, to subject themselves to the penalty. For the Councel, (as we see) offering the *Indulgence* upon condition of observing the Injunctions, when they accepted of the benefite; offered on those termes, they could not but also embrace the termes, upon which the benefite was offered; and their accepting of the benefite was a plaine declaration of their acquiescing in and satisfaction with the termes. And further, when they accepted of the benefite, either they accounted Obedience unto these Injunctions Lawful, or Unlawful. If they accounted it *Lawful*, why were they so disin-

disingenuous, as to simulate some hesitation, when they were clear and certaine? This was not the carriage of faithful, & zealous Servants of Christ. If they did account that Obedience *unlawful*, Why did they not declare so much; especially when their silence, at the acceptance of the benefite so offered, could not but be construed by all, to be a full satisfaction with the Conditions? did not their silence confirme the Councel of the lawfulness of the Obedience, required to these Injunctions? This looked not like the carriage of our worthy For-fathers, and zealous Reformers. Moreover, what in case the Councel had likewise enjoined them (after the same manner of way, that they proposed the foresaid Injunctions) to preach Justification by works. The Popes Infallibility, or the Kings Headship over the Church, or some such thing? Would it have been faire in them, to have come away thanking their L.L. for the favour, which was bestowed upon them, & satisfying themselves with this mental reservation, *We will do as we shall be answerable, and take our hazards*? Could any have justified them in this, or judged their carriage Ministerial? Might not every one have said, that they had taken up their Ministrie, in an unlawful way, not approved of God, and so had run unsum? Finally, Let me ask the Reader, if the King or a great Noble man should grant to a Person some considerable Charge or Employment in his familie, which possibly the same Person had before, but was lately thrust therefrom; and in the mean time should lay upon him some injunctions, which seemed onerous, or not very lawful; could any think, that his accepting of the Charge and Employment, and returning thanks therefore, did not speak out most clearly his acquiescing unto the conditions, his accepting of the Charge upon these conditions, and his tacite promise to obey these Injunctions, especially since he made no exceptions against them, when mentioned and proposed?

6. We remark further that the Letter saith, That none of these Ministers have any *seditions discourses, or expressions in pulpit, or elsewhere*. And what is understood here; by *seditions discourses or expressions*, we cannot be ignorant? But now, what Confitentious Minister can either tacitely promise such a thing, or upon the highest peril forbear to utter such discourses? Or who can think, that any such thing can be yeilded unto, who considereth, what God requireth of Ministers, in reference to a Corrupted and Apostatized State? and what the weight of the blood of souls is? and who hath ever read *Ezek. 3: vers. 17, 18, 19, 20, 21, 22.* and *Chap. 33: vers. 7, 8, 9, 10.* and considered, what a fearful thing it is to fall into the hands of a living God? It is true, the Councel in their act made no mention of this; for what reasons; themselves best know: Yet it is sure, that the King and Court expected, that none should have the benefite of the *Indulgence*, but such only, of whom they had, or thought they had all the rational security imaginable, that they should be men, of other Principles, than to utter such expressions. And we may be very certaine, that the Councel, in pursuance of the ends of his Maj. Letter, made choise of such, as they accounted most peaceable, and of whom they had the least fears imaginable, that they should ever utter, whether in pulpit, or out of pulpit, such seditions discourses and expressions. They took them (no doubt) to be men of a more peaceable disposition, as they called it, and more wise and sober (to speak according to their dialect). But oh, what will after ages say, who shall hear of the Kings Letter, and what the Councel did in pursuance thereof; and see also that N. N. &c. without the least Testimony to the Truth, accepted of

the offer, and never hear, where or when these Persons were challenged, or accused for uttering of such speeches; that is, for an honourable mentioning of the glorious work of God, so miraculously wrought and carried on; and a faithful Testifying against the unparalleled perdition and breach of Covenant, and against the most abominable, irreligious, inhumane and tyrannical Acts, made for establishing of this wicked Course of Defection? What (I say) will after ages say, when they compare this with the valiant and zealous deportment of our Predecessors, and of some, at least, of these same persons Anno 1643. and some years preceding?

It will not be a sufficient covering for this nakedness to say, They heard nothing of that, while they received the *Indulgence*: For it is not unlike, but they saw or heard of the Kings Letter; and the report of such an expression therein should have made them diligent to have got a sight of it, if it was not offered unto them: and their Mouth did clearly, in his discourse before them (as we shall hear) intimate, that they were no strangers thereunto. And suppose they had known nothing of this; yet they could not be ignorant, that this was included in their qualifications. And if they should reject all this, as importing no consent on their parts: Let their practice, since the accepting of the *Indulgence*, say, whether or not they have regarded that, as the main and only condition. However I think here was ground enough for them to have scrupled at the embracing of this supposed favour.

7. The next thing here to be noticed in the Letter, is the Power and Command, which the King giveth to the Council, to silence those Ministers for a longer or shorter time, if they disobey these foresaid Injunctions; and if a complaint be verified the second time, to silence them for a longer time, or to turne them out (that is, in plaine language, to depose them *simpliciter*) especially if they utter any seditious speeches. He must be very blinde, who seeth not what height of *Erastianism* is here: did ever any of the Reformed Churches say, that a Magistrate, as such, could suspend and depose Ministers from their Office? Did ever King James assume this power unto himself? See if his Declaration, penned with his own hand, signed and delivered to the Commissioners of the Church of Scotland, at Linlithgow Dec. 7. 1644. saith so much, though at this time he had got his Supremacie in Church-matters screwed up to the highest peg, he thought attainable? Did ever any of our Confessions of Faith, or Books of Discipline, or Acts and Canons of our Church, give the power of the *Keyes*, the power of inflicting Church-censures upon Ministers, unto the Civil Magistrate? Did ever our Divines (for Lexcept Court Chaplains, and Parasites, whom I account none of ours) write or say such a thing? Read what *Caldernood* hath said, in his *Altar. Damasc. pag. 23, 24.* and what worthy Mr. *Rutherford* hath said, in his *Due Rights of Presbyteries pag. 427.* and forward; and read that elaborate Tract of Mr. G. *Gillaspie Aarons Red Blossoming*, and see if there be any such thing hinted there. See if the CXI. Propositions, or the Propositions for Government, mention any such thing. Now if these Indulged be not *Erastian* in their Principles (as I hope they are not) I cannot see, but they are *Erastian* in their Practices: For they, knowing that such a power was assumed by the King, and now given and granted by the King unto the Council; whereby they were authorized to put the same in practice, and so to exercise pure and intrinsic Church-power, that is, inflict pure Church-

Church-censures, Suspend and Depose Ministers: That is, (1.) Not only not to suffer them to preach and administer Sacraments, in his Kingdom and Dominions, (which yet worthy Mr *Rutherford* will not grant, in his *Due Rights* &c. pag. 430, upon these accounts 1. Because the King as King hath not Dominion of places, as sacred and religious, for his power in Church-matters is only cumulative, not private; so as he cannot take away an house, dedicated to Gods service, no more than he can take away maintenance allotted by publick authority upon Hospitals, Schools, Pastors and Doctors. 2. The Apostles might preach in the Temple, though Civil Authority forbid them. 3. And all know, that he cannot hinder the exercise of the Ministrie, in any other Kingdom,) it is not this onely, I say; but simple not to preach, and administer the Sacraments. (2.) It is not only to discharge the exercise of the Ministrie (which yet Mr *Rutherford*, *ubi supra* pag. 431. with *Caldewood* take to be a degree of Suspension, which is an Ecclesiastical degree to the censure of Excommunication; and therefore the King may as well Excommunicate, and remit and retaine sins, as he can suspend;) but it is to take away the very power of Order, given instrumentally by the Church; if, with *Papists* and *Formalists*, they asseerte not an indeleble Character. And (3.) It is the taking away of what he never gave; for he never ordained, nor could ordaine a Pastor, by any Law of God; that is, Ecclesiastically designe, appoint, set apart, and constitute a qualified Person to the Ministrie, by prayer and laying-on of hands; for this was alwayes done by Church-officers *Act. 13. v. 3. and 14. v. 23. 1 Tim. 4. 14. and 5. 22. 2 Tim. 2. 2. Tit. 1. 5, 6, 7, 8, 9.*

Doth it not hence appear, that this was a manifest Usurpation of the Power and Privilege of the Church? And what can the silence of such, as were indulged, as to this, when they accepted of the *Indulgence*, from such as were, in the very giving thereof, openly and avowedly declaring this their Usurpation and Incroachment, say before the world, but that they acquiesced thereunto? This matter was not hid under ground; It was plaine enough to all, who would not put out their owne eyes, that the King was assuming to himself Church-power, and was robbing the Church of her Privileges; and to make way for the full accomplishment thereof, did here command and authorize his Councel to appoint such and such Ministers, so and so qualified, to such and such places, as they thought good, with this manifest certificate, that they must expect no Church-censures to be inflicted on them, for any crime or misdemeanour, they shall be charged with, and be found guilty of, but by the Civil Magistrates immediatly; not Causatively, that is, causing Church-Judicatories do it; but doing it immediatly themselves. Who then can justifie them, and their practice, in accepting so thankfully, as they did, that *Indulgence*, without the least word of a Testimonie against all these open and manifest Incroachments; and that at such time, when the designe of tyrannizing over the Church, in an *Arbitrary* way, was so palpable, and might be seen and known of all, who would but open their eyes?

But there is another thing, which here occurreth; We see here that these Indulged Persons, are standing immediatly under the Censure of the Civil Magistrate, not only for transgressing of the Orders, and Instructions given; but also (as must necessarily follow) for any other failing and transgression, not specified; as for example for Fornication, Sabbath-breaking and other Sins and Scandals, deserving

Deposition or Suspension? For put the case, that some of them (which yet I have no cause to fear) should commit any such scandal, as did deserve, or were usually punished by Suspension or Deposition; who shall inflict this Censure upon them, but the Council? There is no Church- Judicatorie having power over them for that effect; and they are not under the Prelates; And we cannot think that they may commit such crimes, and continue in the Ministrie; Nor may we suppose, that they will suspend or depose themselves.

8. Moreover we must remark here, that the Council is to take notice of their Speeches in pulpit, who are indulged, and to punish them; Yea, to turne them out immediately, if they be found to have uttered any seditious Discourse: By which we see, that the Council is made the immediat formal judge of Ministers Doctrine, for under the pretext of seditious Doctrine, they may judge and condemne the most innocent and orthodox truthest. No *Anti-Erasian* Divine will grant this unto the Civil Magistrate. And though it be true, that the Civil Magistrate can only and properly judge of what is truly seditious, and can only civilly punish for such crimes; Yet our Divines never granted, that the Magistrate might in *prima instantia* examine, and judge of Ministers Doctrine, when alleiged to be seditious, or treasonable: Nor did our Church, in her pure times ever yeeld to this. Our Church-Historie tells us, that Mr. *Andrew Melvane*, that faithful and zealous Servant of Christ, would not answer before the King and the Council, for his alleiged treasonable discourse in Sermon, until he had first given-in a plaine and formal Protestation; and the like was done by worthy Mr. *David Black* upon the like occasion, and the Protestation was approven and signed by a good part of the Church of *Scotland* 1596. And we know also upon what ground it was, that that famous late Martyr for the Liberties of the Church, Mr. *James Guthrie*, was questioned, and put to suffer: Now where was there any thing spoken by the Indulged, to bear witness to their adhering to the Church of *Scotland*, in this point of truth? What was said, that might declare their dissent from this piece of Encroachment? Was not their silence here, and accepting of the Indulgence, in the manner as it was accepted, without any publick Testimonie for the Church of *Scotland* and her Liberties, a Declaration, that they were willing, that all their Doctrine should be immediately, and in *prima instantia*, judged and examined by the Council, and consequently, that our Predecessours in offering Protestations, in this case, were to be condemned, and that Mr. *Guthrie* died as a fool?

9. We may remark a snare laid in the Letter to catch more for ins appointed, that such of the outted Ministers, who have lived peaceably and orderly here is a Discrimination made, no less scandalous to the commended, than dangerous to the rest) and are not reemered or preseted, as aforesaid, shall have allowed to them foure hundred mark Scots yearly, &c. --- And that such as will give assurance to live so for the future, be allowed the said yearly maintenance: Seing it is not unknown what is properly here understood, by living peaceably and orderly, any may see what a snare is laid here to catch others: But some will say, what is that to the Indulged? I think it speaketh very much to them; for had they not accepted of this Indulgence, that temptatio had been removed from the door of others, who now, seeing them without any scruple accepting of the Indulgence offered, and granted unto them in special, only upon the account, and in consideration of their being peaceable and orderly livers, are emboldened to take the gra-

cious gift, and accept of that Princely benevolence, upon the same account, and gave for a greater morsel, *Viz* a Vacancie: And will not others, who are not fast rooted, be ready to engage, and give in security, that they may also taste of the Kings gratuity, and so sell their conscience and fidelity, at as good a price as they can. And if it fall out otherwise (As I wish, and hope it shall) that none shall accept of those baits, under which the hook is so conspicuous, yet no thanks to the Indulged, who have so fairly broken the ice for them. I know, a scandal may be given, when not taken; and such, as give the scandal, are guilty before God *of destroying those for whom Christ died, Rom. 14:15.* And that word of our Saviour *Mat. 18:6. Luk. 17:1, 2. Mark 9:42.* is very dreadful. *But who so shall offend one of these little ones, which beleve in me, is were better for him, that a millstone were hanged about his neck, and that he were drowned in the depth of the sea.* I know they will say, They are far from this hazard, having done nothing, but what is duty and necessary duty. But though I grant it an indispensible duty for Ministers to preach the Gospel, and to be instant in season and out of season: yet they might have preached without the *Indulgence*, as others did, and yet do; and the accepting of the Indulgence was not the only necessary opening of a door to preaching. Nor is it of simple preaching that I am here speaking; and they shall never be able to make it appear, that it is a necessary duty to do, as they have done, considering what is already said, and what shall yet further be said.

10. There is another particular in the Letter, worthe of a remark, and we shall but here name it; and that is, That the council is to *allow Patrons to present to vacant Churches such Ministers, as they shall approve of.* Whence it is clear, that without this consent of the Patron, which is his real or virtual Presentation, the Ministers approved of by the Council cannot have access unto these vacant Churches: Therefore their accepting of the Indulgence unto Vacant places, after this manner, is an approving and an establishing of the power of Patrons; whereby they did condemn all such Ministers, and possibly some of themselves, who formerly had suffered ejection, according to the Act of *Glasgow*, because they had no clearness to accept of this Presentation, even though the Patron would willingly have granted it, and did of his own accord offer it. Did they not hereby also condemn that laudable piece of our Reformation *Anno 1649.* When these Presentations were abolished, and the people restored to their liberty of Electing their own Ministers?

11. We may also take notice, That all this contrivance is not in order to reduce our Church in whole, or in part, to her former Presbyterian state and lustre, or to weaken, or in the least deface, the re-established Prelacie; but rather to confirm the same; for in the Letter, we see these Indulged are to be *enjoined in the Kings name, and by his authority, to keep Presbyteries and Synods*; that is, the Prelats meetings, so called; for there was no other. As also encouragement was given unto them to take the *Prelate's Collation*. So that this contrivance, as it was to gratifie a few, so it was to corroborate the abjured Prelats, in their possession of what they had obtained, as their *quid mihi dabitur*. And further, they were discharged to exerce any Ministerial function towards any of the neighbour Parishes, where there were Curats serving. Now all these Injunctions, being manifestly sinful and unlawful, might have sufficiently cautioned them against the receiving of a fawoure, so strangely clogged with sinful conditions; or at least, prompted them to have remonstrated freely and faithfully all these evils, and plainly declared their fixed avernesness from ever submitting unto these Injunctions,

32. The last particular, which I shall remark here, is the Result of all this; or that rather which is the end mainly driven at, howbeit couched in words not so manifestly expressive of a mainly designed end. The words are in the last part of the Letter. *And seeing we have by these orders, taken away all pretence for Conventicles, and provided for the want of such as are and will be peaceable; if any shall be found hereafter to preach without authority, or keep Conventicles, our expresse pleasure is, that you proceed with all severity against the Preacher and Hearers, as seditious person, and contemners of our Authority.* In the by, we may here take notice, that according to the import and meaning of this letter, no Minister must preach either in or out of Conventicles, without a borrowed Authority from the Magistrate, otherwise they are to be looked upon, as seditious persons, and as contemners of Authority: So that this licence or indulgence was a real clothing of the Indulged and licensed (in the sense of the Court,) with authority to preach; as if all they had from Christ, conveyed to them by the ministrie of Church officers, according to this Appointment, had been null, and altogether insignificant. Which one thing, in my apprehension, had been enough to have scared any, that minded to stand unto their Presbyterian, Gospel and anti-Erastian Principles, from accepting of licences of this nature, so destructive to the very being of an Ecclesiastical Ministrie, and to its dependance on & emanation from Christ Jesus, the only Head and King of his Church, and sole Fountaine of all Power and Authority, communicated or communicable to his Servants and Officers; as such; and so repugnant unto the methods and midses of conveyance, instituted and ordained by Christ, and practised in the primitive Church.

But the other thing, here chiefly to be noticed, is, That as we see this device of the *Indulgence* was hatched and contrived of purpose, to beare down these Conventicles, and to give a more colourable shew of justice in persecuting the zealous Conventiclers. Its true, the Persons Indulged were not of those chiefly, who kept Conventicles, especially in the Fields; for if so, they had not been such as lived peaceably and orderly: And so the Conventicle-Preachers were not much diminished in their number hereby; yet it was supposed, that none of those, who lived under the Indulged their Ministrie, would much trouble themselves to go to Conventicles, and field Meetings; wherein, in a very great part, their supposition failed not. But now; with what Conscience shall we suppose this *Indulgence* could be accepted, seeing thereby, every one might see a further bar and restraint put upon those worthies, who jeopardded their lives in the high places of the fields in preaching of the Gospel, and were owned and contemned of God to admiration, in the rich, yea wonderfully rich blessing of God upon their Labour, and Ministrie, dispensed by the sole Authority of Jesus Christ: yea and those of them, who were present before the Council *August 2. 1672.* might have seen more cruelty breathed out by severe orders, against those, who still followed the Lord, in Houses, in Valleys and in Mountaines, though contrarie to the Law: For that some very day a Proclamation was issued out, commanding all Heretors timely to declare any, who within their bounds shall take upon them to preach in such unwarranted Meetings (as they were called) and make their Names known to Sheriffs, Stewarts, Lords, and Bailiffs of the Regalities, or their Deputes, and all others in publick trust, within whose Jurisdiction they may be apprehended: And Authorizing these Sheriffs &c. to make exact search and enquire after them, to apprehend and incarcerat their Persons, and to acquaint the Council of their Imprisonment.

And:

And requiring the Magistrates of Brughes to detain them prisoners, till further Order; and that under the highest paine: And also declaring that they would put all Lawes, Acts and Proclamations vigorously in execution, against withdrawers from the publick worships; in their own Paroch Churches? And thus was there a new fiery persecution raised, both against faithful Pastors and People. May it not be thought, that they had carried more honestly and ministerial-like, when seeing this End and Designe (which could not be hid,) if they had freely and plainly told the Council; they could accept of no such Courtisie; unless the like were granted to all the faithful and honest zealous Ministers in the Land; or at least, had declared and protested, that what was granted unto them might be no prejudice unto the rest to preach the Gospel, and to be instant in season and out of season, wheresoever and whensoever occasion offered? But now, when nothing of this kind was done, did not they contribute their concurrence unto the establishing of this Misde, made use of for keeping down of those Assemblies of the Lords people; I mean the *Indulgents*? And did they not hereby plainly enough condemne those Meetings, when they concurred so actively and effectually with the Council, and the Kings designe to have the Land freed of them?

I know it will be said, That they could not procure favours to others: it was enough for them to accept of what was offered to themselves. But yet, though they were not Master of the Magistrates treasure of Indulgence, they were Master of their own deed; and I suppose, few of the Godly of the Land would have blamed them, if they had, out of tendernes to the poor perishing people, and out of respect to their suffering Brethren, told the Council; that, as matters then stood, they could not accept of that offer, though it had been cleaner than it was, unless all their Brethren were also made partakers thereof; or at least, that the House, and Field Preachers might not be molested. This would have looked like the deed of men, respecting the publick good, and not seeking themselves, or their own ease and liberty. It would have smelled of brotherly affection, if they had said; We will rather take the same lot with our Brethren, than do any thing, how promising so ever it be of ease and quiet to ourselves, that may render their case more lamentable and grievous; and may seem in the least, a countenanceing, were it but interpretatively, of the severities used against them, or do any thing that may encourage unto more cruelty, and to the prejudging of the far greatest part of the Land, of the Gospel, now going forth with power.

If any shall say, That possible they did not approve of that manner of preaching themselves. I shall Returne, that possible it may be so, as to some of them, who were therefore looked on as most peaceable and orderly; and shall adde, that certainly such must condemne Christ and his Apostles, who were the greatest of Conventicle-Preachers and almost preached no other way; wanting alwayes the Authority of the Supream Magistrate, and yet not waiting upon their *Indulgence*.

But as to all these things, deduced from the Kings Letter, it may be, the Indulged Ministers will think themselves little or nothing concerned; nor obliged to take any notice of what is there said, in regarde that the Kings Letter was not directed unto them, but unto the Council; and it was with the Council immediately, and not with the King, that they had to do: And therefore are concerned only to notice what the Council did, and said unto them, and required of them; and

to notice their own carriage againe, or return unto the Councel. For *anſwer* I ſay. It may be ſo, that they ſhall thus think, to cheate the world and themſelves, by ſuch metaphyſical abſtractions, but in our actions before the Lord, and in matters of this nature, ſo nearly concerning the Glory of Chriſt, as King; and that in a day, when all things call aloud unto a Faithful, Free & Full Witneſſing unto & for the truth; ſuch abſtractions are neither Chriſtian, nor Manly. The Letter was not hid from them, nor the contents thereof unknown to them; for when they were before the Councel, (as we ſhall heare afterward) they by their mouth expreſſed their ſenſe ſufficiently of that Letter, and took the favour of the Indulgence with all humility and thankfulneſs, as his Majesties Royal Favour and Clemencie. Our forefathers uſed not to carry ſo, when Court-favours were preſſed and urged upon them, but ſearched the ground and riſe of theſe, and conſidered their tendencie and conſequences; knowing, that favours, granted by ſtanding and ſtated Enemies, could not be for advantage, but for hurt. The Spirit of zeal and ſaithfulneſs would teach us another more Moral, Plain & Chriſtian Deportment: But though the Indulged ſhould be ſuch Metaphyſical Abſtracters, contrare to that Spirit of wiſdom and ingenuity, that ſhould lead all Chriſtians; yet the Councel dealt more plainly and roundly (as we ſhall ſee) and told at all occaſions, and in all their Acts and Reſolutions, that what they did was in purſuance of his Majesties Commands and Royal Pleaſure, ſignified in his Letter. Finally, This abſtraction, though it were yeelded to them, will not avail; for though the Kings Letter had never been ſeen or heard of, there was enough done by the Councel and its Committee, (of which they could not be ignorant) to have reſolved them, if they had not been prepoſſeſſed: It was the Committee of the Councel that Elected them, that Judged them qualified for the Exerciſe of the Miniſtrie in ſuch and ſuch places: It was the Councel that did Appointe, Authorize and Impower them to Exerce their Miniſtry: It was the Councel, that did Depoſe & Repoſe, Plant and Transplant, give Injunctions, Reſtrictions, and Limitations, and puniſh for Non-Obedience: all which will be further cleared in what followeth.

Having premied theſe few remarks upon the Kings Letter, as neceſſarie to the clearing of our way, becauſe that was the ground of all; and having, in the by, diſcovered ſeveral things, to ſhew the ſinfulneſs of this *Indulgence*; we ſhall now proceed to mentione more particularly what was the progreſs of this Buſineſs, and how this wicked Deſigne took effect.

The Councel appointeth a Committee to cognoſce upon the matter, ſignified in the Kings Letter, and to condeſcend upon the Miniſters, judged fit and qualified for ſuch a favour, according to the minde of the King, ſignified and plainly expreſſed in his Letter; and upon the Paroches, to which they were to be ordered, to go, & exerciſe their Miniſtry: Whereupon the Councel enacteth as followeth.

Edinbr. 27. July 1660.

„ The Lords of his Maj. Privie Councel, in purſuance of his Majesties Commands,
 „ ſignified in his Letter of the 7. of *July* laſt, do appoint the Perſons following
 „ to preach, and Exerciſe the other functions of the Miniſterie, at the vacant Kirks underwritten viz. Mr. Ralph Rodger, late Miniſter at *Glaſgow* to preach at the Kirk of
 „ *Kilwinning*, Mr. George Hutcheſon, late Miniſter in *Edinburgh*, at the Kirk of *ſtirling*.

„Mr William Violani, late Minister at Ferrie, at Cambusnethane: Mr Robert Miller, late Minister at Ochilaven, at the same Kirk: Mr John Park, late Minister at Stranraer, at the same Kirk: Mr William Maitland, late Minister at Whitburn, at the Kirk of Beith: Mr John Oliphant, late Minister at Stanbouse, at the same Kirk: Mr John Bell, late Minister at Ardrossin, at the same Kirk: Mr John Cair, late Minister at Kels, at the same Kirk, and Mr John Mac-Michen, late Minister at Dalry, at the same Kirk.

Here we see Ten were appointed to the places respectively condescended upon by the Council; and some were appointed to preach at the Churches, out of which they had been ejected; but this was only an accidental thing, and meerly because these Churches were at that time vacant; as appeareth by Mr John Park his disappointment; because the Prelate prevented his coming to the Kirk designed, which had been formerly his own, by thrusting in a Curat, notwithstanding of his pleading the benefite of the *Act of Indemnity*, in his own defence, against what was objected against him; and thereby acknowledged himself to have been a Traitor in all his former Actings, and that all the work of Reformation was but Rebellion: And there is no difference betwixt the appointment made to them, who returned to the places, where formerly they had preached, and that appointment, which was made to others to go to other Churches. The Council doth not so much, as verbally signifye, the Sentence of Banishment from their own Parishes by the Act of Council at Glasgow Anno 1662. to be now annulled, as to them, whereby they had liberty to returne to their own Charges, and follow their work; but simply enjoyne and appointeth them to go to such a place, and there to exercise their Ministrie, as simply and plainly, as if they had never been there before: So that the appointment is one and the same, as made by the Council, in pursuance of the Kings Letter: And all the difference, that was in their several Orders and warrands, which they received from the Council, was in regarde of the Patrons, and of nothing else; as may be seen by the following tenors of these Acts.

Followeth the Tenor of the *Acts of Indulgence*, given to the several Ministers to preach, conforme to his Maj. Letter of the 7. of June 1669.

„The Lords of his Maj. Privie Council, in pursuance of his Maj. Commands, signified the 7. of June last, do appoint Mr Ralph Rodger, late Minister at Glasgow, to preach and exercise the other functions of the Ministrie, at the Kirk of Kilwinning.

And thus did all the rest of this kinde run. The other did run thus.

„Forasmuch as the Kirk of is vacant, the Lords of his Majest. Privie Council, in pursuance of his Maj. command, signified by his Letter the 7. of June Instant; and in regarde of the consent of the Patron, do appoint late Minister at to teach and exercise the other functions of the Ministrie at the said Kirk of

Whereby we see, that these Orders make no difference betwixt such, as were appointed to their own former Churches, and others, who were appointed to other places:

places, so that as to this, all of them received a new Commission, Warrant and Power to exercise their Ministrie, in the places designed, as if they had never had any relation unto these places before.

Further, it is observable here, That these Orders and Acts of the Council have the same Use, Force and Power, that the Bishops Collation hath, as to the exercise of the Ministrie; and that the Ordinance of the Presbyteries used to have in the like cases: And therefore this is all the ministerial potestative Mission, which they have unto the actual exercise of their Ministrie in these places. Thus wee see the Civil Magistrate arrogate to himself that, which is purely Ecclesiastick, *to wit*, the Placing and Displacing, the Planting and Transplanting of Ministers; and giving them a Ministerial Potestative Mission, which only belongeth unto Church-Judicatories. So that these Indulged Persons may with as much right be called the Councils or Kings Curats, as others are called the Bishops Curats, whom the Prelates Collate, Place and Displace, Plant and Transplant, as they please. And wee see no regarde had unto the Judicatories of the Church, and to their power, more in the one case, than in the other; and possibly the Prelates transportings are done with some more seeming regarde unto the power of Church-Judicatories, such as they owne under them: but in this deed of the Council, there is not so much as a shew of any deference unto any Church-Judiciary whatsoever, nor is there any thing like it. It is obvious then, how clear and manifest the encroachment on the power of the Church is, that is here made. And because Magistrates have no such power from the Lord Jesus, and are not so much as nominally Church-Officers (as Prelats in so far are, at least) nor can act any other way, as Magistrates, than with a coactive civil power, and not ministerially under Iesus Christ; it is manifest, that the Indulged, having this Authoritie unto the present exercise of their Ministrie in such and such places, only from the Civil Magistrate acting as such, have not Power & Authority from Christ; for Christ conveyeth no Power and Authority in and by the Civil Magistrate, but by his own way, by Ministers of his own appointment, who act under him ministerially. And whether or not, they have not, in submitting to his way of conveyance of Power, and Authority to exercise their Ministrie *hic & nunc*, upon the matter renounced the former way, by which Power and Authority was ministerially conveyed unto them; as we use to speak of such of the Prelats Underlings, who have received Collation from him, and Power to exercise their Ministrie in such and such places, where they are now placed, though formerly they were ordained and fixed by lawful Church-Judicatories, I leave to others to judge.

But because it may be said, that in these foregoing Acts, there is no mention made of the Injunctions spoken of, in his *Majest.* Letter, to be given to all the Indulged Ministers; Hear what was concluded and enacted by the Council, on that same day.

Edmb. the 27. of July 1669.

“ The Lords of his *Majest.* Prive Council, in pursuance of his *Maj.* Royal pleasure, signified to them by his Letter of the 7. of *June* last, do in his *Maj.* Name
“ and Authoritie, command and ordaine all such outred Ministers, who are, or
“ shall be appointed or allowed to exercise the Ministrie; That they constitute and
“ keep

„keep Kirk Sessions and Presbyteries and Synods, as was done by all Ministers,
 „before the Year 1638. And the Council declares, that such of them, as shall
 „not obey in keeping of Presbyteries, they shall be confined within the bounds of
 „the Paroches, where they preach, aye and while they give assurance to keep the
 „Presbyteries. And also the Council doth strictly command and enjoin all,
 „who shall be allowed to preach, as said is, not to admit any of their Neighbour or
 „other Paroches unto their Communion, or Baptize their Children, nor marry
 „any of them; without the allowance of the Minister of the paroch, to which they
 „belong, unless that Paroch be vacant for the time; nor to countenance the
 „people of the Neighbouring or other Paroches, in resorting to their preachings,
 „and deserting of their own Paroch Churches. And that hereunto they give due
 „obedience, as they will be answerable on their highest perill. And ordaines these
 „presents to be intimate to every person, who shall by Authority foresaid be allow-
 „ed the exercise of the Ministrie.

We see here, that this Act, concerning the Injunctions, was made distinct from the foregoing Act of Indulgence, and these Injunctions were not expressly included or mentioned in the Act of Indulgence: And some because of this may possibly think and say, That the accepting of the Indulgence is the more justifiable. But I am not of that mind: For this dividing of these two, which were conjoined in the Kings Letter, was either done by collusion of the Indulged, or wholly without their knowledge and consent. If the former be truth, their accepting of the Indulgence is so much the more condemnable, that it was accompanied with such unfaire dealing, devised of purpose (for no other end of this deed can be imagined) to blindfold and deceive the simple; whom possibly such a cheate might hoodwinke. If the latter be said, to wit, that the Indulged themselves were utterly ignorant hereof though it is certaine, as was said above, they were not ignorant of the Kings Letter: Then I think, the first intimation made of these Injunctions unto them should have given such a discoverie of unfaire dealing, and of the Councils purpose and intention to have them insnared, that the credite of their Ministrie, the Conscience of their duty to God, and to the souls of people, the care of shunning all appearance of evil, the Command of God to give no offence, and other things considerable of that nature, should have compelled them unto a plaine and full Declaration of their sensibleness of this cheat, and of their unwillingness to accept of favours, so clogged with Inares. And if they had thus carried, they had approved themselves, (otherwise than they did) to the consciences of all Men, as lovers of upright dealing, and as such who durst not take on them the charge of souls, on such unlawful termes, nor run the errands of God, with such a Passport.

As to the Conditions themselves, I hope, even the indulged Persons themselves, are sufficiently convinced of the iniquitie of them, when (as I hear) they have now at length laid aside the careful observance of them: But the careful and circumspect obedience yielded unto them at the first, is standing as a witness against them unto this day, and sheweth that however now they neglect the same, because possible perceiving the Council not so earnest in pressing observance, as at the first; yet so greedy were they of the bait of the Indulgence, that they cared not to swallow this hook with it: though it was an adding of griefe to such as had sor-

row enough already; and had in it a condemning of such, as scrupled the bearing of the Curats, and submitting to the Ordinances of Christ, administred by them.

Before we proceed, it will be fit here to take some notice of that Discourse, which Mr. H. had unto the Councel, in name of the rest, who were at that time Indulged with him; for hereby we may be helped to understand, what was their sense of the Indulgence, who did receive it; The just double of which Discourse, as it came to mine hand, I shall here set down, as followeth.

„I am desired, in the name of my Brethren, here present, to acknowledge, in
 „all humility and thankfulness, his *Maj.* Favour and Clemencie, in granting us
 „the liberty of the publick exercise of our Ministrie, after so long a restraint from
 „the same; and to returne here all thanks to your *L.L.* for the care and paines,
 „you have taken therein: And that your *L.L.* have been pleased to make us; the
 „unworthiest of many of our Brethren, so early partakers of the same. We have
 „received our Ministrie from Jesus Christ, with full prescriptions from him, for
 „regulating us therein; and must, in discharge thereof, be accountable to him
 „And as there can be nothing more desirable, or refreshing to us on earth, than
 „to have free liberty of the exercise of our Ministrie under the protection of lawful
 „Authoritie, the excellent Ordinance of God, and to us ever most dear and pre-
 „cious; so we purpose and resolve to behave our selves, in the discharge of the
 „Ministrie, with that wisdom and prudence, that become faithful Ministers of
 „Jesus Christ; and to demaine ourselves towards lawful Authority, notwithstanding
 „ing of our known judgment in Church-affairs, as well becometh loyal Subjects,
 „and that from a lawful principle of Conscience. And my *L.L.* Our prayer to
 „God is, that the Lord would bless his *Maj.* in his Person and Government; and
 „your *L.L.* in the publick Administration; and especially in the pursuance of his
 „*Maj.* mind in his Letter, wherein his singular moderation eminently appears; that
 „others of our Brethren, in due time, may be made sharers of the liberty, which
 „through his *Maj.* favour we now enjoy.

I shall not long insist in descanting on this discourse; seeing it is so plaine and manifest an homologating of the Kings Letter; and consequently its iniquity is so undeniable from what was formerly remarked upon that Letter, that there is no great necessity of many more words to that end: only it may suffice to touch on some particulars, in a few words.

1. We see hence, That these Brethren were not ignorant of the Kings Letter and of the contents thereof, when they do here acknowledge a favour and clemencie, granted unto themselves thereby.

2. Nor were they ignorant of the scope and designe of that Letter, seeing they pray, that the Lord would bless the Councel, especially in the pursuance of his *Maj.* minde in that Letter.

3. Nor were they Ignorant particularly of the Instructions, contained in that Letter, and which were to be given unto them: as these words, *with full prescriptions from him* (i.e. Christ Jesus) *to regulate us therein* do clearly show; for by these words, as it would appear, they gave their *L.L.* to understand, that it was not needful that these Instructions, or Prescriptions, contained in the Kings Letter, should be laid before them.

4. Nor were they Ignorant, that what the Councel did herein, was by vertue of, and

and in full compliance with the designe of the King's Letter; and consequently, that the King's Letter, and the contents thereof, were the onely spring and original of all this Indulgence, and of the Councels power in acting in conformity thereto, and actually granting the Indulgence; for they thank their *LL.* for the care and paines, they had taken therein; and they pray, that the Lord would blesse them, especially in the pursuance of his *Maj.* minde, in his Letter.

5. It is matter of astonishment to me, considering what is said, how they could acknowledge this for such an Act of favour and clemency; And how they could say, that in this Letter, the King's singular Moderation did eminently appear; when from what is said, and what shall hereafter be more fully held forth, it is so notoure. That the contents of this Letter did hold forth a designe of overturning all Church-Power, as exercised by Church-Persons, and of clothing the Councel with power to impose Prescriptions, to prescribe Rules and Limitations, and to order and regulate Ministers, in the exercise of their Ministrie, as also with power to Place and Displace, Plant and Transplant Ministers, without regarde had either to the previous Call of the People, or to the Mission of any Church. Judicatory; and of subjecting of the Exercise of the Ministrie wholly unto their will and pleasure; not to mentione the severity breathed out, in that Letter, against the Assemblings of the Lord's people.

6. It is manifest from what is already marked, that the Indulged Brethren did owne that Letter of the Kings, as the onely rise and fountaine of the favour, which they were made partakers of; and therefore did not take the Indulgence onely from the Councel, but from the King principally, as the onely spring thereof, conveying the same to them, through the channel and medium of the Councel, who did nothing but by vertue of that Letter, and in obedience thereunto. Whence we see, that there is no ground to abstract the stream from the fountaine, or to think that these Ministers could imagine, that they were onely to notice what the Councel did, and no more; for as they neither did this, so it were unreasonable to think they could do so.

7. They acknowledged here, that as to the liberty of the publick exercise of their Ministrie, they were onely beholden unto this Indulgence; for, for this cause they give thanks: And thus did tacitely grant, that there ought to be no publick Exercise of the Ministrie, without liberty granted from the Magistrate; whereby they not onely condemned all these faithful Ministers, who ventured, without that liberty granted, to preach publicly, where occasion offered in houses, or in the fields; but they likewise condemned Christ and his Apostles, the greatest of Conventicle-keepers. So like-wise they do tacitely here grant, that when the Magistrate prohibiteth the publick Exercise of the Ministry, for longer or shorter time, he must not be disobeyed; whereby the Magistrate hath the power yielded to him of Suspending and Deposing Ministers, from the exercise of their function. It is true, Magistrates can hinder the peaceable publick exercise, or free publick exercise, by outward force and constraint; but they speak not here of the freedom of peaceable publick exercise, but simlie of the freedom of publick exercise of the Ministrie. Our own Church-history tells us; how famous Mr. Bruce was cast in a fever, through terror of conscience, for promising silence but for ten dayes, though in hopes of greater liberty.

8. It is observable here; how thankful they are for partaking alone (as chosen out from their Brethren) of this favour; while as this very act of separating them from their Brethren, should have been a sufficient ground for them to have rejected the tendered supposed favour, seeing by the accepting thereof, in this separated way, they suffered.

delivered themselves to be divided from their Brethren, contrary to their sworn Covenants: not to speak of the *stigma*, they received thereby.

9. They say, That they received their Ministrie from Jesus Christ. But why was it not said, as some of them (if I be not misinformed) desired, *only from I. C?* When this was designedly and deliberately left out, let all the world judge, whether in this, they carried, as faithful Ministers of the Gospel, or not; for my part, I cannot but judge, that this was a manifest betraying of the cause, and a giving up of all to the Magistrate: for hereby they declared, that in their judgements, either they had their Ministrie from others, as well as from Christ; that is, from the Magistrate, as well as from Christ, and that in a co-equality and co-ordination; or else, that they had it not from Christ immediately but from men, from the Magistrates, in subordination to Christ. Now neither of these can assort with truth, and with our Principles: Not the *formity*, for then Christ should not be sole King, but halfe, and the Magistrate should have the halfe of Christ's Thron, Crown, Scepter and Glory: which were blasphemy to think. Not the *form*, for Magistracy is not subordinat in a direct line unto Christ, as Mediator; nor hath Christ substitute the Magistrate, as his Vicar; nor hath he given to him, as such, a ministerial power under him, to convey ministerially (in respect of the Subjects) or with a ministerial Authority, as his Servants, what power of Mission he giveth to his Ministers; Magistrates, as such, act not ministerially, or with a ministerial Authority, in reference to their Subjects, but with a Coactive, Autocratorical and Architectonick Power and Authority. If it be said, that they reserved only to the Magistrate hereby, the power to grant the liberty of the free exercise; but they meant, that they received the Ministrie it self from Jesus Christ alone. I answer, had they spoken so, we might then have understood them so. But though they had said so, the cause had been betrayed, for if they have their Ministrie from Christ alone, they must also have the free exercise of the same from him: If Christ give the Office, he giveth the power to exercise the Office: And if they depend upon others, in reference to the Exercise, they in so far rob Christ of what is his due, & hold that of men, which they should hold of Christ alone. No man needs to say here, that by this means we take away the Power of Church-Judicatories, by whom Ministers receive both the Office, and the Power of its exercise: For what Church-Judicatories do herein, they do ministerially under Christ, and Christ by them conveyeth the Office to such and such a Person, and with the Office a power to exercise it, according to the Rules of the Gospel; and notwithstanding of this, these Officers may and must say, that they receive their Ministrie only from Christ Jesus. But this cannot be said, if the Magistrate be substitute in the place of Church-Officers, either in reference to the Office it self, or in reference to its free Exercise; because no Magistrate, as such, (as is said) acteth with a Ministerial Power, under Christ, in a right line of subordination: And therefore when they keepe out the word, *only*, they did plainly declare, that they held the Ministrie partly of the Magistrate. If it be said, that they would hereby only have reserved to the Magistrate, power to grant the Peaceable Publick Exercise of the Ministrie: I would answer, that though they had meant thus, yet they might safely and should have said, that they received their Ministrie only from Christ; for I cannot be said to receive my Ministrie from every one, who can hinder my peaceable publick exercise thereof, otherways I must be said to receive it, in part, from Satan and his Instruments, who can hinder my peaceable publick exercise thereof. So that, use what devices

24.
devices men can to cover this matter, a manifest betraying of the cause will break thorow, and a receding from received and sworn Principles will be visible.

10. They said, They had full prescriptions from Jesus Christ, to regulate them in their Ministerie. Who then can justify them, in receiving other Prescriptions from the Magistrat, and such as Christ never made mention of in his Law; yea some where of do directly militate against Christs Prescriptions? Doth not their receiving of these Instructions or Prescriptions, which were contained in his Maj. Letter, say, that the Prescriptions of Christ were not full? But againe, seeing they had not freedom to say, that they received their Ministerie from Christ alone, how could they say, that they had their full prescriptions from Christ? unless they meant, that they had them not from Christ alone. And then they must say, that they had them partly from some other, and that other must either be the Magistrat, or Church Officers: not Church-officers; for neither had they any call to speak of that here; nor doth Church Officers hold forth any Prescriptions, but Christs, and that in the name of Christ. If that other be the Magistrat, than it must either be meant, Collaterally, or Subordinatly to Christ: not Subordinatly; for they are not appointed of Christ for that end; nor do they, as Magistrats, act Ministerially, but Magisterially; not Collaterally, for then they should have these Prescriptions equally from the Magistrates, as from Christ; and the Magistrat should be equal and King of the Church with Christ, which is blasphemie.

More might be here noted, but what is said is enough to our purpose, at present; and what was said above needeth not be here repeated.

But now we must proceed: These fore-mentioned were not all, who were that yeer indulged: For the same supposed favour was granted to others shortly thereafter, as appeareth by these Extracts out of the Register.

Edinburgh, August 3. 1669.

THE Persons under-written were licenced to preach at the Kirks after specified viz. Mr John Scot, late at Oxnam, at the same Kirk, Mr William Hamilton late at Glasford, at the Kirk of Evandale: Mr Robert Mitchel, late at Luss, at the same Kirk: Mr John Gemmil, late at Symningtown at the same Kirk: Mr Patrick Campbel, late at Imerary, at the same Kirk: Mr Robert Duncanson, late at Lechanfide, at Kildochrennan: Mr Andrew Cameron, late at Kilsfiman, now at Lechead in Kintyre.

Edinburgh, 2. Septemb. 1669.

For as much as the Kirk of Pencaitland is now vacant, by decease of Mr Alexander Vernor, last Minister thereat; and there being some questions and legal pursuits before the Judge ordinarie, concerning the right of Patronage of this Kirk: Until the deciding whereof the Kirk will be vacant, if remed be not provided: Therefore the Lords of his Maj. Privie Council, in pursuance of his Maj. pleasure, expressed in his Letter of the 7. of June last, have thought fit at this time and for this Vacancie allennerly, To appoint Mr Robert Douglas, late Minister at Edinburgh, to preach and exercise the function of the Ministerie, at the said Kirk of Pencaitland. And it is hereby declared, that thir presents shall be without prejudice of the right of Patronage, according as the same shall be found and declared by the Judge ordinarie.

D

Edinburgh,

Edinburgh, Septemb. 2. 1669.

„ The Persons underwritten were licensed to preach at the Kirks after specified
 „ viz. Mr Matthew Ramsay, late at Kilpatrick, to preach at Paisley: Mr Alexander
 „ Hammiltoun, late Min. at Dalmenie, at the same Kirk: Mr Andrew Dalrymple,
 „ late Min. at Affleck, at Dalgarnie: Mr James Fletcher, late Min. at Neutcome, at
 „ the same Kirk: Mr Andrew Me-Glaine, late Min. at Craigness, at Kilcarran: Mr
 „ Donald Morison, late at Kilmaglais, at Ardnamurchane.

Edinburgh, Septemb. last 1669.

„ The Persons following were ordained to preach at the Kirks after specified;
 „ viz. Mr John Stirling, at Hounam: Mr Robert Mowat at Harriot: Mr James Ham-
 „ milton at Eglesham: Mr Robert Hunter at Downing: Mr John Forrester at Tilliallan
 „ with Mr Andrew Reid. infirme.

Edinburgh, Decemb. 9. 1669.

„ Mr Alexander Blair at Galslow: Mr John Primrose at Queensferry: Mr David
 „ Brown at Craigie: Mr John Craufurd at Lamingtoun with Mr John Hammiltoun aged
 „ and infirme: Mr James Vetch at Macblane.

Edinburgh, Decemb. 16. 1669.

„ Mr John Bairdie at Paisley with Mr Matthew Ramsay infirme.

Thus we see there were this Yeer 1669. Five and Thirtie in all licensed and indul-
 ged, and ordained to preach, in the several places specified, upon the Councils
 Order, in pursuance of the Kings Royal pleasure. And in the following yeer, we
 will finde the same Order given unto and obeyed by others.

But ere we proceed, it will not be amisse, that we take notice of the first Act of
 Parliament, holden this yeer Novemb. 16. 1669. and consequently, before the last
 Six were licensed. The Act is an *Act asserting his Majesties Supremacy over all Persons,
 and in all Causes Ecclesiastical.* Whereby what was done by the Council, in pursu-
 ance of his Majesties Pleasure, signified by his Letter, in the matter of granting
 these Indulgences, is upon the matter confirmed and ratified by Parliament, when
 His Maj. Supremacy is so amplified and explained, as may comprehend within its
 verge all that Ecclesiastick Power, that was exercised, or ordained to be exercised,
 in the granting of the Indulgence, with its Antecedents, Concomitants and Con-
 sequences: And a sure way is laid for carrying on the same designe of the Indul-
 gence, in all time coming.

The Act is as followeth.

Nov. 16. 1669.

„ **T**HE Estates of Parliament having seriously considered, how necessary it is,
 „ for the Good and Peace of the Church and State, That his Maj. Power and
 „ Authority, in Relation to Matters and Persons Ecclesiastical, be more clearly as-
 „ serted by an Act of Parliament: Have therefore thought fit it be Enacted, Assert-
 „ ed and Declared: Like as his Maj. with Advice and Consent of his Estates of Par-
 „ liament, doth hereby Enact, Assert and Declare, That his Maj. hath the Su-
 „ preame Authority and Supremacy over all Persons, and in all Causes Ecclesiasti-
 „ cal, within this His Kingdom: And that by vertue thereof, the Ordering and Dis-
 „ posal of the external Government and Policy of the Church, doth properly be-
 „ „ long

„ long to His Maj. and His Successours; as an inherent right to the Crown. And
 „ that His Maj. and His Successours may Settle, Enact and Emit such Constitu-
 „ tions, Acts and Orders, concerning the Administration of the External Govern-
 „ ment of the Church, and the Persons imployed in the same; and concerning all
 „ Ecclesiastical meetings, and matters to be proposed and determined therein, as
 „ they in their Royal Wisdom shall think fit: which Acts, Orders and Constitutions,
 „ being Recorded in the Books of Council and duly published, are to be observed
 „ and obeyed by all his Maj. Subjects; any Law, Act or Custome to the contrary
 „ notwithstanding. Like as His Maj. with Advice and Consent foresaid doth Re-
 „ scind and Annul Lawes, Acts and Clauses thereof, and all Customes and Constitu-
 „ tions Civil or Ecclesiastick, which are contrary to, or inconsistent with His Ma-
 „ jesties Supremacie, as his hereby asserted. And declares the same Void and Null,
 „ in all time coming.

Concerning the Irreligiousnes, Antichristianisme and Exorbitancie of this Ex-
 plicatory, and (as to some things) Ampliatory Act and Assertion of the Kings Su-
 premacy in Church-affairs, much, yea very much might be said; but our present
 business calleth us to speak of it, only in reference to the *Indulgence*; that we may
 see with what friendly aspect this Supremacie looketh towards the Indulgence, and
 with what Veneration the Indulgence respecteth this Supremacie; to the end it may
 appear, how the Indulgence hath contributed to the establishment of this Supra-Papal
 Supremacie; and how the Accepters thereof stand chargeable with a Virtual and
 Material Approbation of, and Consent to the dreadful Usurpation, committed by
 this Supremacie.

In order to which, we would know, that this Act of Supremacy, made *Anno*
1669. was not made, upon the account, that the Supremacie in Church-affairs had
 never been before screwed up to a sufficient height, in their apprehensions; for up-
 on the matter, little that is material is here asserted to belong unto this Ecclesiasti-
 cal Supremacie, which hath not been before partly in more general, partly in more
 special and particular termes, plainly enough ascribed unto this Majestie, or pre-
 sumed as belonging to his *Majest.* In the *11. A^d. Parl. 1. Anno 1661.* where the
 Oath is framed, he is to be acknowledged, *Only Supreme Governour over all persons,*
and in all causes; and that his *Power and Jurisdiction must not be declined:* So that under
 all Persons, and all Causes, Church-officers, in their most proper, and intrinsecal
 ecclesiastick Affaires and Administrations, are comprehended; and if his *Majest.*
 shall take upon him to judge Doctrine, matters of Worship, and what is most essen-
 tially Ecclesiastick, he must not be declined, as an incompetent Judge. We finde
 also *A^d. 4. Sess. 2. Parl. 1. Anno 1662.* (which is againe renewed *A^d. 1. Anno 1663.*)
 that his Majestie, with advice and consent of his Estates, appointeth Church-cen-
 sures to be inflicted for Church-transgressions, as plainly and formally, as ever a
 General Assembly, or Synod did, in these words; *That whatsoever Minister shall*
without a lawful excuse, to be admitted by his Ordinary, absents himself from the visitation
of his Diocese --- or who shall not, according to his duty, concur therein; or who shall not
give their assistance, in all the Acts of Church-discipline, as they shall be required thereto by
the Archbishop, or Bishop of the Diocese, every such Minister (N. B.) so offending shall,
for the first fault, be suspended from his Office and Benefice, until the next Diocesan meeting;
and if he amend not, shall be deprived. But, which is more remarkable, in the first

Act of that Second Session. Anno 1662. for the Restitution and Re-establishment of Prelats, we have several things, tending to cleare how high the Supremacie was then exalted: The very Act beginneth thus, *for as much as the ordering and disposal of the external Government and Policy of the Church doth properly belong unto his Majestie, as an inherent right of the Crown, by vertue of his Royal Prerogative and Supremacie in causes Ecclesiastical.* This is the same, that is by way of statute asserted in the late Act 1669. In the same Act it is further said, *That whatsoever (this, sure, is large and very comprehensive) shall be determined by his Maj. with the advice of the Archbishops and Bishops, and such of the Clergy, as shall be nominated by his Maj. in the external Government and Policy of the Church (the same consisting with the standing Lawes of the Kingdom) shall be valide and effectual.* And which is more, in the same Act, all preceeding Acts of Parl: are rescinded, by which the sole and only Power and Jurisdiction within the Church, doth stand in the Church, and in the General, Provincial and Presbyterial Assemblies and Kirk-Sessions. And all Acts of Parliament or Council, which may be interpreted to have given any Church-Power, Jurisdiction or Government to the Office-bearers of the Church, their respective Meetings, other than that which acknowledgeth a dependance upon, and subordination to the Sovereign Power of the King, as Supreme, So that we see, by vertue of this Act, all Church-Power and Jurisdiction whatsoever, is made to be derived from, to have a dependance upon, and to be in subordination to the Sovereign power of the King, as Supreme; and not to stand in the Church: Whereby the King is made only the Fountaine of Church-power, and that exclusive (as it would seem) even of Christ; Of whom there is not the least mention made; and for whom is not made the least reserve imaginable. So in the 4. *Art.* of the third Session of Parl. Anno 1663. For the Establishment and Constitution of a National Synod. We finde it said, *that the ordering and disposal of the external Government of the Church, and the nomination of the Persons, by whose Advice, Matters relating to the same are to be settled, doth belong to his Maj. as an inherent right of the Crown, by vertue of his prerogative Royal and Supreme Authority in causes Ecclesiastical.* And upon this ground is founded his power to appoint a National Synod; to appoint the only constituent Members thereof, as is there specified; to call, continue and dissolve the same, when he will; to limit all their Debates, Consultations and Determinations to such matters and causes, as he thinketh fit; and several other things there to be seen.

Seing by these Particulars, it is manifest and undeniable, that this Ecclesiastick Supremacie was elevated presumptively before the Year 1669. to as high a degree, as could be imagined; It may be enquired, why then was this Act made Anno 1669? I answer. This act (so I conceive) was not framed so much to make any addition to that Church power, which they thought did *jure Corona* belong originally and fundamentally unto the King; for that was already put almost beyond the reach of any additional supply, though not in one formal and expressive Statutory Act: As to forme the same, when screwed up to the highest, into a plaine and positive formal Statute, having the force of a Law, for all uses and ends; and particularly to salve, in point of Law, the Council in what they did, in and about the *Indulgence*, according to the desire and command of the King in his Letter, in regard that the granting of this *Indulgence*, did manifestly repugne to and counteract several antient Acts of Parliament, and was a manifest breach and violation of Lawes, standing in full force, and unrepealed; which neither their place, nor his Maj. could in Law

warrant them to do, by his Letter, That the granting of the *Indulgence* did thus in plain termes repugne to standing Lawes, I thus make good. In the Act of *Restoration of Prelates Anno 1662*. Prelates are restored unto the exercise of their Episcopal function, *Presidence in the Church, power of Ordination, Inflicting of Censures, and all other Acts of Church Discipline*. And as their Episcopal power is there asserted to be derived from his Maj. so withal it is expressly said, that the Church-power and jurisdiction is to be *Regulated and Authorized, in the Exercise thereof, by the Archbishops and Bishops; who are to put order to all Ecclesiastical matters and causes, and to be accountable to his Maj. for their administrations*. Whence it is manifest, that the King alone, or with his Privie Council, cannot put order to Ecclesiastical matters and causes, or exerce Church-Power and Jurisdiction, without a violation of this Law, and manifest controlling of it. And further in the 4. Act of that same Second Session of Parliament it is expressly ordained, *that none be hereafter permitted to preach in publick or in familiarities within any diocess;--without the licence of the Ordinary of the Diocess*. So that this licence and permission, granted to the Indulged by the Council, to preach and exercise the other parts of their function, being without the licence of the Bishops, is manifestly contrary and repugnant to this Law. Moreover Act 1. in the third Session Anno 1663. we have these words. *And the Kings Maj. having resolved to conserve and maintaine the Church, in the present State and Government hereof by Archbishops & Bishops, and others bearing Office therein; and not to endure, nor give way or countenance to any variation therein, in the least; doth therefore, with advice and consent of his Estate, convened in this third Session of his Parliament, Ratifie and Approve the afore mentioned Acts, and all other Acts and Lawes, made in the two former Sessions of Parliament, in order to the settling of Episcopal Dignity, Jurisdiction and Authority within the Kingdom, and ordains them to stand in full force, as publick Lawes of the Kingdom, and to be put to further execution, in all points, conforme to the tenor thereof*. Here is a further Ratification and Confirmation of the Lawes mentioned, and the Council hereby yet more firmly bound-up from emitting any Acts or Edicts, contradictory to, and tending to weaken and invalidat the publick standing Lawes of the Kingdom. And, which is yet more considerable, in the following words of this same Act; the effectual putting of these Lawes in execution is specially, and *in terminis*, recommended by King and Parliament, unto the Privie Council, after this manner. *And in pursuance of his Maj. Royal resolution herein, his Maj. with advice foresaid, doth recommend to the Lords of his Maj. Privie Council, to take speedy and Effectual Course, that these Acts receive ready and due Obedience from all his Maj. Subjects; and for that end that they call before them all such Ministers, who having entred in or since the Year 1649. and have not as yet obtained Presentations and Collations as aforesaid, yet darred to preach in contempt of the Law; and to punish them as seditious persons, and contemners of the Royal Authority. As also that they be careful, that such Ministers, who keep not the Diocessian meetings, and concurre not with the Bishops, in the Acts of Church-Discipline, being for the same suspended or deprived, as said is, be accordingly after deprivation, removed from their Benefices, Glebes and Manſers. And if any of them shall notwithstanding offer to retaine the Possession of their Benefices or Manſers, that they take present Course to see them dispossess. And if they shall thereafter presume to exercise their Ministrie, that they be punished, as seditious Persons, and such as contemne the Authority of Church and State*. Now, notwithstanding of this exprels reference and severe recommendation, we know, that in the matter of the *Indulgence*, they were

so far from punishing such, as had not obtained Presentations and Collations, and yet had continued to preach, and exercise their Ministrie; that in perfect contradiction to this Injunction of King and Parliament, and other forementioned Acts, they licensed, warranded and impowered some such; as by Act of Parliament were to be punished as seditious Persons, and contempters of Authority of Church and State, to preach publicly, and to exercise all other parts of their Ministrie, and that upon the sole warrand of the Kings Letter, which cannot in Law warrand and impower them to contraveen expresse Lawes, and Acts of Parliament; and not only to disobey the Injunctions of Parliament, but in plaine termes to counteract and counterwork the Establisshed and Ratified Lawes; and so to render them null and of no effect.

Whence we see, that there was a necessity for the Parliament *An. 1669.* to do something, that might secure the Lives and Honours of the members of Council, in point of law, in granting of that *Indulgence*, which was so expressly against law, and which the two Arch-Prelates, members of Council, would never give their assent unto, as knowing how it intrenched upon the power granted to them, and the other Prelates, confirmed by Law; and so was a manifest rescinding of these Acts and Lawes. And though this might have been done by a plaine and simple Act, approving and ratifying what the Council had done, in compliance with his Maj Royall Pleasure, and authorizing them in time coming, to pursue the ends of the same Letter further, with a *non obstante* of all Acts, formerly made in favours of Prelates and Prelacie: Yet it is probable, they made choise of this way of explaining, by a formal and full Statute and Act of Parliament, the Supremacie, in these plaine, full and ample termes, wherein we now have it; that thereby they might not only secure the Council, but also make the Kings sole Letter to the Council, in all time coming, a valid ground in Law, whereupon the Council might proceed, and enact and execute, what the King pleased in matters Ecclesiastick, how intrinsically and purely such soever; without so much, as owning the corrupt Ecclesiastick medium or channel of Prelacy: And withal it might have been thought, that such an act, so necessary for the legal preservation of the Indulgers, and consequently of the Indulged, in the enjoyment of the *Indulgence*, would go sweetly down with all the Indulged, and such as gaped for the like favour, howbeit so framed, as that it was not very pleasant, at the first tasting: For it cannot be rationally supposed, that such, as are pleased with their warme dwellings, will cast out with the walles & roof of the dwelling, without which they would enjoy no more warmth than if they were lodging beside the heth in the wilderness: And who could think, that any indulged man could be dissatisfied with that, which was all and only their legal security, and without which, they were liable to be punished as seditious persons, and as contempters of Authority, even for preaching by vertue of the *Indulgence*, according to Lawes standing in force unrepealed?

Whence also we see, what a faire way was made unto this Act of Supremacy, by the *Indulgence*; and how the *Indulgence* is so far beholden unto this Act, that it can not stand without it, nor the persons Indulged be preserved from the lash of the Law, notwithstanding of all that was done by the Council: And thus these two are as twines, which must die and live together; for take away the Act of Supremacy, and the *Indulgence* is but a dead illegal thing. We may also see; what to judge

judge of this illegal and illegitimate birth, that cannot breathe or live, where Law reigneth, without the swedding clothes of such a Supremacy, nor can stand but as upheld by such an Anti-christian Pillar.

We may also see here, that the very embracing of the Indulgence was, upon the matter, a recognition of this Power in the King, to do in and by his Privy Council, in Church-matters, what he pleased, even though contrary to antecedent Acts of Parliament; and that such as are so satisfied with the effect, *to wit*, the Indulgence, cannot but comply with the cause, *to wit*, the Supremacy, as asserted in this Act; as the man that hath a complacencie in drinking of the streames, cannot be displeased with, but delight in the fountaine, from whence they proceed. If any of these Brethren had received the same Indulgence from the Prelates immediately, had they not thereby complied with the Prelates, homologated their Power, and plainly assented and submitted thereunto? Yea, had they not in this assented also mediately unto the Supremacy, seeing all the Prelats Power did flow from the Supremacie? And shall they not now much more be looked on, as homologating the Supremacie, and as assenting thereto, when they receive the Indulgence, that immediately floweth therefrom, and must be vindicated and defended solely by the asserting thereof? How is it imaginable that I can receive a favour, and not homologate, assent to and acquiesce in that Power, that gave it, when the asserting of that Power, is the only mean to keep me in legal possession of the favour received;

But now, for further confirmation of what is said, let us take a view of the Act of Supremacy it self, and there see a ground laid of sufficient warrant for the Council, in what they did, in granting the Indulgence; and also be able to read the Indulgence it self out of the Supremacie, as here asserted; and for this end, it will be sufficient for us, to take notice only of the last words thereof, where it is said. *And that his Maj. and his Successours may Settle, Enact and Emit such Constitutions Acts and Orders, concerning the administration of the external Government of the Church, and the Persons employed in the same, and concerning all Ecclesiastical Meetings and Matters, to be proposed and determined therein, as they in their Royal wisdom shall think fit: which Acts, Orders and Constitutions, being recorded in the books of Council, and duly published, are to be observed and obeyed by all his Maj. Subjects.* Before this time, as we heard, all Acts; Orders and Constitutions, concerning Church-affairs; Church-meetings; and Church-administrations; were to be put in execution by the Prelates, empowered by the Supremacie unto this end: And what was lately done in the matter of the Indulgence, was done by the Council, and not by the Prelates, and there fore contrary to law: whereupon, that this deed may be valide in law, it is here asserted, that the King, by vertue of his Supremacie, may Emit what Acts, Orders and Constitutions, he, in his royal wisdom, thinketh fit, and after what manner he pleaseth; and so, if he will, may order and dispose of all Church-administrations, Ecclesiastick Persons, Church-meetings and matters, by himself immediately, or by his Council; yea or by his lackeys; so that if the Lawes, Constitutions, Acts and Orders, concerning these Matters, Meetings, Persons and Administrations, be signified to the Council, by Letter, or any other way, and be recorded in their books, and duely published, (which they must doe whensoever required) they must be obeyed and observed by all Subjects: Now this power being asserted to belong to his Maj. as an inherent right of the crown, no deed of gift,

gift, formerly granted to the Prelats, could weaken or diminish it; and therefore nothing done of late by the Council, in granting of the *Indulgence*, according to his *Maj.* will and pleasure, signified by his Letter *July 7. 1669.* can prove prejudicial unto the said *Privie Council*, they doing nothing but what was consonant unto the Kings *Supremacie*, here more clearly asserted, and not granted of new, save in the forme of a formal Statute and law asserting the same. Yet notwithstanding, for the more security, (for abundance of Law breaks no Law) it is added in the Act, (as we see) *Any Law, Act or Custom to the contrary notwithstanding.* And moreover they *repeal and annul all Lawes, Acts and Clauses thereof, and all customs and constitutions, Civil or Ecclesiastick, which are contrary to and inconsistent with his Maj. Supremacie, as it is hereby asserted; and declare the same void and null in all time coming:* According to the usual course and manner.

As to the other particular, we may see the native feature and lineaments of the *Indulgence*, in the face of the *Supremacie*; so manifestly; that none who see the one needs question the intimate Relation, that is betwixt them. We see it now asserted; as belonging to his *Maj. Supremacie*, in Church-affairs; that he may Settle, Enact and Emit what Acts, Constitutions and Orders, he thinketh good, whether concerning Church-Administrations, or Church-meetings, or Church-matters, or Church-Officers; and that there needeth no more to make these Lawes, to be obeyed and observed by all the Subjects, but the recording of them in the books of the Council, and duly publishing of them. Now, as we saw above, in the Kings Letter, concerning this *Indulgence*, there are Constitutions, Acts and Orders emitted and settled concerning *Church-administrations*, shewing what shall not be preached, under the paine of Censure: whose Children may be baptized, whose not: who may be admitted to hear the word, and who not: Concerning *Church-persons*; who shall be accounted qualified for preaching, who not: who shall be accounted fit for the charge of such a flock, and who for the charge of another: Such and such Ministers are ordained to go to such or such Congregations; not by vertue of a Call of the people, but meerly by vertue of the Councils designation. Concerning *Church-meetings*, They are appointed to keep Diocesian Visitations, or Synods, and to resort to Prelats Exercises, though the Prelates look not on them as futable company. So it is ordained, whom they are to marry and whom not. In a word, let any but compare the Kings Letter with this part of the Act of *Supremacie*, and he shall be forced to say, that the Letter is nothing but the *Supremacie* exemplified and put in practice.

Hence it is manifest, that no man can submit to, and accept of the *Indulgence*, but he must *eo ipso* submit to & accept of such Constitutions, Acts and Orders, as did constitute, qualifie, and limite the same; for the Effect includeth the Causes Constituent and Discriminating. And again, no man can submit to and accept of Constitutions, Acts and Orders, flowing from a power, but they must *eo ipso* recognise that Power to be properly residing in the person, giving forth these Acts and Orders; or grant, that he is vested with that power: and seeing it is plain from the Act of *Supremacie* it self, that such Constitutions, Acts and Orders, so given in Church-matters, and about Church Persons; as these were, whereby the *Indulgence* was midwif'd into the world, do flow from the *Supremacie*; it is also manifest, that no man can accept of the *Indulgence*, as so and so conveyed, as it was, but they must withall virtually, implicitly, and interpretatively at least though yet really and consequentially acquiesce, & submit unto, and acknowledge the *Supremacie*, in so far, as concerneth the matter of the *Indulgence*, and the Acts, Orders and Constitutions, therein comprehended.

I am,

I am, in all this, far from thinking, that these Indulged brethren did formally and expressly Owne, Acknowledge, Acquiesce in or Approve of the Ecclesiastick Supremacie, in and by their accepting the *Indulgence*; or that they had any such Intention therein, as to make way for, approve of, or to confirme the said Supremacy. No: I am only shewing what is the native consequence thereof, and inevitable followeth thereupon; and what consequentially they may and ought to charge themselves with, and others, not without ground, account them interpretatively guilty of; and what a Conscience, when rightly awakened and illuminated, will challenge them for; and the Posteritie will think they have failed in, and many now a dayes are stumbled by, or induced to stumble upon the occasion of: not to mention the designe of the Contrivers, which yet, when known and discovered, may occasion yea and cause a sad and wakening reflection; Nor yet to mention, what afterward, upon several occasions was discovered, of which more afterwards, and which might have been sufficient to have made some bethink themselves, and search more narrowly what they had done, and give glory to God by turning out of such dangerous, and so many wayes scandalous and offensive pathes.

Having thus briefly spoken of the Supremacie, as relating to and friendly corresponding with the *Indulgence*, its native daughter, we now proceed in our History, and shall show, who were Indulged even after this Act of Supremacie was thus made and published: And of these we have found already five or six licensed, that same year, within a moneth or thereby after the Parliament, (which gave us such a full, and large explication of the Supremacie,) sat down. But we proceed to the following years.

Edinb. 27. 1670.

Mr Alexander Wedderburn at Kilmarnock.

Edinb. March. 3. 1670.

Mr John Lauder at Dalziel: Mr George Ramsay at Kilmars: Mr John Spadie at Dregborne. Mr Thomas Black at Newtyle: Mr Andrew McClaine at Killaro and Kilquhanan: Mr Andrew Duncanson at Kilchattan in Lorn.

Thus we have this year seven more; in all fourtie three. Towards the beginning of the next year, there is a Proclamation of the Privie Councel, re-inforcing the punctual observance of the forementioned Injunctions, delivered unto the Indulged; after this forme.

Edinb. Jan. 26. 1671.

„ For as much as the Lords of his Maj. Privie Councel, in pursuance of his Maj. „ Royal pleasure, signified to them by his Letter the 7. of Jan. 1669. did by their Act „ of the 27. of July 1669. Ordaine all such outted Ministers, as should be allowed „ to exercise the Ministrie, to keep Kirk Sessions, and keep Presbyteries and Syn- „ nods, as was done by all Ministers, before the Year 1638. And did declare, that „ such of them, as should be allowed to Exercise the Ministrie, and should not obey „ in keeping of Presbyteries, should be confined within the bounds of the Paroches, „ where they preach, aye and while they give assurance to keep Presbyteries. And „ the saids Lords being informed, that hitherto Obedience hath not been given to „ the foresaid Act of Councel: Do therefore command and require all and every „ one of these Ministers, allowed to preach by order of Councel, to keep Presby- „ teries

teries in time coming. And do hereby confine all these, who shall not give Obedience in keeping Presbyteries; within the bounds of the respective Parishes; where they preach. And ordains Extracts of this Act to be sent to every one of the saids Ministers, that none of them pretend ignorance.

How or what way this Injunction was observed, I am not much concerned to enquire. Only the Reader would know, that the Presbyteries now, and before the year 1638. were not the same; so that however honest Ministers did observe those; yet no honest man could, with a good Conscience, keep these meetings now; because before the year 1638. Presbyteries had never been discharged, or removed: Howbeit many complied with the Prelates then, and frequented these meetings; yet good men kept their Possessions; only the Synods then were so far changed into Episcopal Visitations, that several honest men had not peace and freedom in going to them. But in our Dayes, Presbyterian Government was plucked up by the roots, and wholly cast away: And there was no Presbytery or Synod, but what was purely Episcopal, depending upon him, and recognosceing his Power. Whence we see, that by this Injunction, a compliance with Prelacy was designed. And I suppose, such of those Indulged Ministers, as had not freedom in Conscience to yeeld obedience unto this command, thought that by compliance herewith they should have Homologated the Prelats Power, and abjured Prelacy, notwithstanding that they were obliged by the Command of God, to hold such meetings for the exercise of Discipline, according to the Patterne of the New Testament, if such circumstances had not made it sinful in them: Why then might they not also have judged it unlawful for them to have accepted of the *Indulgence*, as homologating the Magistrats usurped Supremacie, and abjured *Erasianisme*, notwithstanding of their Obligation to preach the Gospel? Why did not the Obligation to observe Presbyterian Assemblies, for the Exercise of Discipline, make them willing to step over the inconvenience of Prelacie, without acknowledging of which they could not keep these meetings *hic & nunc*; as they supposed their obligation to preach the Gospel did warrant them to step over the inconveniencie of *Erasianisme*, without acknowledging of which they could as little preach *hic & nunc*; Especially seeing if they observed not these Presbyteries and Synods, they could observe none: But though they preached not in these places designed by the Indulgents, they could have preached elsewhere, with as much Glory to Christ, Good to souls, Edification of the whole Body, and Peace in their own mindes, if not more. I see not, how they, who scrupled not at preaching, though, as circumstantiated, attended with abjured *Erasianisme*, could rationally scruple the Exercise of Presbyterian Discipline, though, as circumstantiated, attended with abjured Prelacy. Yea, I think there was less ground for scrupling this of Discipline, than for scrupling that of Preaching; because, as I said, they could have preached without the *Erasian* Indulgence, & that to much more advantage, as experience hath proved in others; But they could not have exercised Discipline, such I meane as used to be exercised in Presbyteries and Synods, without the Prelates Courts.

We have now seen the Progress of this device of the *Indulgence*, contrived mainly to suppress and keep down the Meetings of the Lords people in houses, and in the fields, which were the eye-sore of the Rulers, and which they were seeking to destroy

stroy by all meanes: As appeareth by that grievous Act of *Parlia.* made against them *August 13. 1670.* with the Act against Baptismes *August 17. 1670.* and that made *August 20. 1670.* against withdrawing from publick meetings; all tending to this End. But notwithstanding of all these Midianitish wiles, and cruel Acts, such was the presence of the Lord in the Assemblings of his people, and so powerful was the Operation of his Spirit with the laboures of a few, who laid out themselves to hold up the Standart of Christ, though contrary to the Law of men; that the number of converts increased and multiplied daily, to the praise of the glory of Gods free grace, and to the great Encouragement of the few bands, that wrestled through all humane discouragement. Therefore our Rulers cast about againe, and fall upon another device, which they supposed would prove effectual for destroying the work of the Lord; which was this. Besides the Ministers Indulged, as said is, there was a great company of Non-conforme Ministers, not yet Indulged, who they supposed either did, or might thereafter hold Conventicles (as they are called;) and therefore to remeed or prevent this in time coming, they appoint and ordaine them to such and such places, where Indulged Ministers were settled, there to be confined, granting them liberty to preach, and exercise their Ministry there, according as the Indulged men would allow and imploy them; or of new Indulging them by pairs, and appointing to places; thinking by this meanes to incapacitate so many Ministers from holding of Conventicles or private meetings there, or else where: All which will be clear by the Acts of Council, which follow.

Halyrudhouse Septembr. 3. 1672.

„ The Lord Commissioner his grace, and the Lords of his *Majesties* Privie Council,
„ considering the Disorders, which have lately been by the frequent & numerous Conventicles; and being willing to remeed so great an evil, in the gentlest manner that could be thought on; and his *Maj.* Commissioner being sufficiently instructed herein. They do order and appoint the Ministers after-named, outted since the year 1661. to Repaire to the Paroches following, and to remaine therein confined, permitting and allowing them to preach and exercise the other parts of their Ministerial function, in the Paroches, to which they are, or shall be confined by this present Act, and Commission after specified, viz.

In the Diocess of *Glasgow.*

In *Egelsbam* Paroch, with Mr *James Hammiltoun*, Mr *Donald Cargil*.
Paislay, with Mr *Iohn Bairdy*, Mrs *William Eccles* and *Anthony Shaw*.
Neilstoun, Mrs *Andrew Miller* and *Iames Wallace*.
Kilmakelme, Mrs *Parrick Symson*, and *William Thomson*.
Kilbarchan, Mrs *Iohn Stirling* and *Iames Walkinshaw*.
Killisallan; Mrs *Iames Hutchefon* and *Alexander Jamison*.

Irlwing.

Newmiller, Mrs *Iohn Burnet* and *Georg Campbell*.
Phinick, Mrs *Thomas Wylie* and *William Sheil*.
Stewartoun, Mrs *William Castellaw*. *Andrew Hutchefon* and *Andrew Mortoun*.
Dunlop, Mrs *Gabriel Cuninghame* and *William Meine*.
Larger, Mrs *Iohn Wallace* and *Alexander Gordoun*.
Kilbride, Mrs *Robert Boid* and *Gilbert Hammiltoun*.

Cornsey, Mrs Archibald Porteus and John Rae.
Kilmanning, with Mr Ralph Rodger; Mr Robert Fleming.
Irwin, with Mr Georg Hutchison, Mr John Law.
Kilmarnock, with Mr. Alex. Wetherburn, Mrs James Rennie and William Hay.
Kilmarnock, with Mr Georg Ramsay, Mr John Parke.
Dreghorn, with Mr John Spading, Mr James Donaldson.
Beith, with Mr William Mainland, Mr William Creighton.
Kilbride, with Mr William Dallidale, Mr Patrick Anderson.
Ardrassie, with Mr John Bell, Mr James Bell.

Ally.

Cultoun, Mr William Fullertoun.
Riccartoun, Mrs Hugh Campbell and Hugh Crawford.
Dundonald, Mrs John Osborne and John Hutchison.
Marthine, with Mr James Veitch, Mr Robert Archibald.
Ochiltree, with Mr Robert Miller, Mr Patrick Peacock.
Gastoun, with Mr Alexander Blair, Mr Adam Alison.
Cragie with Mr David Brown, Mr Robert Maxwell.
Dalgarnie, with Mr Andrew Dalrymple, Mr John Campbell.
Symington, with Mr John Gemil Mr Francis Irving.

Kircudbright.

Caissairne, John Semple, and Mr William Erskine.
Keller with Mr Gant, Mr Georg Wauch.
Dalry, with Mr John Mc Michen, Mr Thomas Thompson.
Balmacellan, Mrs James Lawrie and Thomas Verner, in place of John Rae, when he shall be transported to Stanickirk.

Hammitoun.

Avondale, Mrs James Hammitoun and Robert Young.
Glasford, Mrs William Hammitoun and James Nasmyth.
Sharr, Mrs James Curry and Alexander Barrow.
Dalserfe, Mrs Thomas Kirkaldy and John Carmichael.
Stanhouse, with Mr John Oliphant, Mr Matthew Mc Kell.
Cambusnethen, with Mr William Violand, Mr Robert Lam.
Dalziel, with Mr John Lauder, Mr Thomas Melvil.

Lanark.

Carlouk, Mrs Alexander Livingstone, and Peter Kid, now at Carlouk.
Carmichael, Mrs John Hammitoun, and William Sommersail.
Culter, Mrs Anthonie Murray and Robert Lobbart.
Lamingtoun, with Mr John Crawford, Mr William Baillie.
Lefmabago, with Mr Thom. Lawrie a regular incumbent, Mr James Brooberstons.
Carstairs, Mrs James Kirkcoun and John Greg.

Linlithgow.

Westcalder, Mrs John Knox and William Weir.
Burrowstoness, Mrs Robert Hunter and John Inglis.

Lothian,

Lothian, &c.
Lindou, with Mr Robert Elliot, Mr Robert Elliot, his Son.

Ornam, with Mr John Scot, Mr Hugh Scot.

Howman, with Mr John Stirling, Mr Ker.

Argyle.

Kilferne, Mrs John Cunningham, and Alexander Mc Claine.

Kilsannan, Mr John Cameron.

Campbeltown, Mrs Duncan Campbell and Edward Keith.

Kilbarrain in Lorn, Mrs John Duncanson and Alexander Mc Claine.

Knapdail with Mr Douglas Campbell a Regular Incumbent, Mr Duncan Campbell.

South Kynire, Mr David Symphon.

And yet notwithstanding of the said confinement, the Lord Commissioner his grace, and Lords of his Maj. Privie Council, give full power, warrant and commission to the Lord Chancellor, the Lord Duke of Hamilton, the Barles of Argyll, Tweeddale and Dundonald, The Lords President of the Session, Register, Treasurer Deputy, and Justice-Clerk, with the Bishop of the Diocels, wherein the saids Ministers are confined, or any foure of them, within the space of Six Moneths after the date hereof, to alter and change any of the Persons fore-said from any of the saids Paroches, to another of those Paroches; or to allow and confine other Persons in their place; They alwayes pitching in the first place upon some outted Ministers from that Diocels, wherein the Paroches, to which they are to be confined, do lye: And allowing none to preach, who were outted before the year 1662, or being outted since the year 1661. are under certification, or sentences of any Court of this Kingdom: With power to the said Commissioners and their quorum, to confine to and allow outted Ministers, as said is, in the Paroches of Tarbolton, Barnwell, Stevenson, Lochquench, Inchaven and Mearns; and that so soon as the present Incumbents in these Paroches shall be provided, and transported to other Kirks. Recommending to Patrons, to give them Presentations at Kirks that shall vaik; and particularly to Patron of the Kirk of Galsounsbairs to give a Presentation thereto to Mr Alexander George. To . . . Patron of the Kirk of Burghoun, to present thereto Mr William Naismyth. To . . . Patron of the Kirk of Macclue, to present thereto Mr Robert Kinchide. To . . . Patron of Grainae, to present thereto Mr . . . Stewart. And for the Intertainment and maintenance of the Ministers fore-said, confined and allowed by this Act, and of these formerly indulged by the Council: The saids Lords do think fit, that the halfe of the Stipends of the Respective Paroches, wherein they are confined, of the Croke and Year of God 1672. be payed to the Ministers, formerly indulged therein; and that the other halfe of the said stipend be equally divided amongst or betwixt these formerly, and now allowed to preach in the saids Paroches. The saids whole stipends, receiving in the future Division proportionably, according to the number of Persons formerly and now allowed to preach therein. And where there was no Person formerly indulged, the third part of the stipend of the year 1672. is to be payed to these confined and allowed by this present Act, in the respective Paroches fore-said. And in case any of the Ministers fore-said shall not serve; as they

are allowed by this Act or Commission foresaid; their proportion of the said stipends are to be holden as vacant, and to be employed, conforme to an Act to be made in this Session of Parliament, anent the disposal of the Vacant Stipends. And ordaines letters to be directed, at the Instance of the severall Ministers foresaid, serving as said is, against these liable for payment of their proportions of the said stipends. And the Lord Commissioners Grace, and Lords of his Maj. Privie Council, considering the extens of the Indulgence given by this Act, and that if the same should be any further enlarged, the regular Ministers might be discouraged, and the orderly and peacably disposed people of this Kingdom quieted; do declare that hereafter, they are not to extend the said Indulgence, in favours of any other people, or to any other Paroches, than to those mentioned in this Act; nor to allow outted Ministers to preach in any Kirks, nor herein expressed, and wherein there are not already Ministers allowed to preach by this Act.

Thus we see this Indulgence very far extended, and as far as the Council minded to extend the same, in all time coming: But you will say, we hear of no Orders, Instructions and Prescriptions, given unto them, whereby they were to be regulated in the exercise of their Ministrie, as others formerly allowed and licensed were. Therefore in order to this, there is an Act of Council, of the date of the foresaid Indulgence, to this effect.

Whereas by an Act of the date of their presents, and by former Acts of Council, diverse Ministers outted since the Year 1661, have been and are warranted and licensed, to preach at certaine Kirks, therein specified; and it being necessary for the better keeping of good Order, that the Rules following be observed by these Ministers indulged, by an Act of the date of their presents; and these Indulged by former Acts of Council. Therefore the Lord Commissioners Grace, and the Lords of his Maj. Privie Council do enjoin the punctual and due observance thereof to the saids Ministers, as they will be answerable.

1. That they presume not to marry or baptize, except such as belong to the Paroch, to which they are confined, or to the neighbouring Paroches vacant; or wanting Ministers for the time.

2. That all Ministers indulged in one and the same Diocess, celebrate the Communion upon one and the same Lords Day, and that they admit none to their Communion belonging to other Paroches, without testificats from the Ministers thereof.

3. That they preach only in these Kirks, and not in the Church-yards, nor in any place else; under the paine, to be repute and punished as keepers of Conventicles.

4. That they remaine within, and depart not forth of the Paroch, to which they are confined, without license from the Bishop of the Diocess only.

5. That in the exercise of Discipline, all such cases, as were formerly referable to Presbyteries, continue still in the same manner; and where there is no Presbyterial meeting, that these cases be referred to the Presbyterie of the next bounds.

6. That

„ 6. That the ordinary dues, payable to Burfers; Clerks of Presbyteries and Synods, be payed by the saids Ministers, as formerly.
 „ And that the saids Ministers may have competent time for transporting of their families, and disposing upon their goods, The saids Lords suspends their confinement for the space of three moneths, to the effect, in the mean time, they may go about their affairs, providing that during the time of the said Suspension, they do keep and observe the rest of the Orders and Instructions forefaysd, and other Acts, made anent outted Ministers.

There was another act of Council made this same day, concerning all the rest of the outted Ministers, not as yet by name indulged and licensed, and concerning some newly ordained, as followeth.

Halyroodhouse, Septemb. 3. 1672.

„ The Lord Commissioner's Grace and the Lords of his Maj. privie Council, considering that by the Act of the date of thir presents and former Acts of Council, certaine Ministers outted since the Yeer 1661. are confined in manner therein contained; and that there are remaining diverse of that Number not disposed on by the said Act, it ought also to be provided, that these may not give scandal to any, by with drawing themselves from the publick worshipec, in the Kirks of these Paroches, where they reside, nor ensnare others to do the like by their practice and example; do therefore give order and warrant to Sheriffs, Baylies of Regalities, Baylies of Baylieries, and their respective Deputes, and Magistrats within Brughes, to call and convene before them all outted Ministers since the Yeer 1661. And not disposed on as said is, and who are not under a sentence or censure of State, residing in the respective jurisdiction or bounds, or who shall in any time thereafter reside therein, to require them to hear the word preached, and communicat in the Kirk of those Paroches, where they dwell or repaire to; or dwell in some other Paroches, where they will be ordinary Hearers and Communicar; and to declare their resolution herein; and condescend upon the Paroches, where they intend to have their residence, and hear the word and Communicate: with power to the said Sheriffs and other Magistrats forefaysd to seize upon and imprison their Persons, within the space of a Moneth after they should be so required. And in case any of the said Ministers shall reside in the Paroch, where there are Ministers indulged by the Council, they are hereby warranted and allowed to preach in the Kirks of those Paroches, where they reside, upon the Invitation of the Minister therein confined and allowed; and not else.

„ And whereas some within the Kingdom, without any lawful Authority or Ordination, take upon them the calling of the Ministrie, preach and do other Acts, peculiar to those of that function; and considering that such Presumption and Intrusion upon the sacred Office, tend to the Disorder and Disquieting of the Church and Kingdom. Therefore the Lord Commissioner's Grace, and the LL. forefaysd of his Maj. Privie Council do enjoyn the said Sheriffs and other Magistrates forefaysd, within the respective bounds, to make search for, and seize upon and imprison such, upon tryal that they have exercised the Office of a Minister: To acquaint the Council of their Names and place of their Imprisonment, that such course may be taken with them as they shall think fit. And further, the said Sheriffs are ordained and com-
 „ mand-

manded to enquire, how the Ministers, confined and allowed to preach in their several Jurisdictions, do obey the Rules prescribed to them, and contained in another Act of Council, of the date of their presents, and whereof extracts are to be sent to the several Magistrates foresaid, who are hereby appointed to report to the Council thereanent, every six moneths, and betwixt and the first of June next their diligence in the execution of the order, contained in the Act, certifying them, that if they shall be negligent or remisse in the execution of the orders, given to them herein, or falzing to give in the said account, they shall be proceeded against and censured, according to their demerites.

By this Act we see what course was laid down to have all the butted Ministers canonized, and brought under restraint, that so the Word might also be under bonds, and restricted to these bounds, to which they had been pleased to extend the Indulgence. We see also, how the Council looked upon such, as had been ordained, but not by Prelates, and how they were to be persecuted by their Order. We see also, how the ministry of those, who were thus to confine themselves in places; where Indulged men were, is restricted by their Prescriptions, in its exercise.

But by the preceeding Act of Indulgence, we saw a number of Ministers Indulged: who were to repaire to the several places specified; and to this end every one of them were to receive their own particular Act or Summons; to this effect,

Halyroodhouse Septemb. 3. 1672.

„ The Lord Commissioner's Grace and the Lords of his Maj. Privie Councel, considering the disorders, which have lately been by frequent and numerous Conventicles, & being willing to remeed so great an evil in the gentlest manner could be thought on: and his Maj. Commissioner being sufficiently instructed herein. They do hereby order and appoint . . . to repaire to the Paroch Kirk of . . . and to remaine therein confined, permitting and allowing him to preach, & exercise the other parts of the Ministerial function in the said Paroch, with . . . formerly Indulged.

But where no Minister had been formerly Indulged, this last clause was left out. As also there was sent alongs with this act to every one of them an extract of the Councils Instructions, of the date thereof.

Here we see the Former Injunctions renewed, and pressed on all, formerly and now of late indulged; and moreover we finde some new Injunctions superadded, to wit, concerning the time of their celebrating of the Lords Supper; of purpose to hinder the greater Good and Edification of the people, who used to go to other Churches, than their owne, to partake of that Comforting and Strengthening Ordinance; Whereby also an insupportable yock was put upon their necks, to celebrat the Sacrament at times (as to some in particular possible) most unseasonable, when neither they nor their people were in case, and when the season of the year might prove an impediment in Landward Kirks, though none to Towns. And further they are enjoined not to preach without the Walls of the Kirk, nay not so much as in their House; such hatred and indignation had these Rulers, at all House and Field Meetings, that they would not suffer even their own licensed and warranted Ministers to do any thing, that might carry the least appearance of any such thing. So

they are ordered to acknowledge their subjection unto the Prelates Courts, by referring cases, usually referable to Presbyteries; unto them; as also to resist their acknowledgement of the Prelates Courts, by paying their proportion of the Salarie, now alledged to be due to the Clerks of these Courts. Any may see what matters were laid here; and what obedience was given hereunto by these Ministers, who accepted of the benefite of this Indulgence, I know not. It is sufficient for me to note here, that these Injunctions flow from an Usurped Power, and are not proper Magistratical Acts, *circa sacra*, but Intrinsically Church-Constitutions (at least several of them;) and therefore the accepting of these, which were a piece of the complex Business of the Indulgence, as tendered and granted by the Rulers, bewrayed their falling off, in so far, from former Principles, owned and sworn unto. And beside, this addition of New Instructions did show, that the Council looked upon them, as their Curats, and as Obnoxious to their Orders in Church-Matters, and what concerneth the manner and way of their exerceing of the ministerial function, as the other Curats are unto the Prelates, or as ever any Minister was obnoxious to the Canons and Constitutions of General or Provincial Assemblies, in our best times. And let me enquire of these Accepters, how they think such an act as this, had it been done, while the Church was in possession of her Power, would have been looked upon? And how our General Assemblies would have looked upon such Ministers, as should have submitted unto the like then, as they have done now? I suppose they will think, that if they had done so, they would have met with no less, than Deposition. And then let them consider, if that can be a commendable duty now, which would then have been such a Transgression. And let them say whether or not, such do them great wrong, who, adhering to their former Principles, must needs look on them, as *ipso jure* deposed.

It deserves to be noted here, that a Lybel was formed against one *Mr William Weer*, at this time Indulged, and permitted to preach in *West-caldre*; and he was looked upon by the Council, as one, that most basely slighted their Favour and Indulgence, and was severely to be punished, because he thought it not sufficient to enter unto that charge, meerly upon the Act of the Council; but to satisfy himself the more, as to his ground of entrie, did receive a call from some of the Heritors and People; and because in his first preaching to that people he declared his adherence to the Soleinne League and Covenant, and that he did not acknowledge the power either of King or Bishop, in matters belonging to the Church of Christ: And in his next Sermon said, that neither King nor Council were the Treasurers of the Gospel, or of the Ministrie of it. And because the following day, he preached against the Supremacie in matters Ecclesiastical, and against Prelacy: And because he had in preaching declared, that the Civil Magistrate had no power to appoint a day to be kept holy and observed in holy worships. By which we see, That the Council taketh upon them to make this man a Minister, though they plainly shew, that he was never owned as a Minister by the Church-Judicatories. Further we see, That the Councils Act, thus ordering these Indulged Ministers to the respective Kirks, was all the call they had, or that they would acknowledge should be had, or required; and therefore the Indulged have no call, but the call of the Council as their ground. Further we hence see that the Councils aime and end (among others) was to have the Supremacie established, and Prelacie; so that the very speaking against these, by

such as were Indulged, was sufficient to be the matter of a Lybel, and was looked on as criminal: What Interpretation can then be given of the silence of others, thus Indulged, as to these great points let sober men judge; and whether or not, the Council did suppose, that by this Indulgence, they had obtained so many coyn-ducks, as did willingly submit thereunto.

I know several Ministers, mentioned in this Act, had not freedom to accept of this supposed favour of the Indulgence, and were therefore cited before the Council: Among these, faithful and worthy Mr John Burnes, Minister at Kilbride near Glasgow, was one, who thought it his duty to give an open and plaine account of his Reasons to the Council, why he could not submit to that Indulgence, and for this end, drew up his Reasons in write, directing it to the Council: But being prevented by sickness, and thereafter by death, did not get it presented, yet sent it to the Chancellor, and left it, as his Testimonie against that evil, not changing what might have been changed in the manner of its address, because of sickness and other inconveniences. I shall here set it downe, as he left it; not only because it was his Testimony to the Truth (and Testimonies should be carefully kept, and Committed to posteritie;) but also because his Reasons are weighty, and may helpe us to see more of the inquiry of this Indulgence. His paper was as followeth,

The draught of this Paper was framed purposely to the S. Council, as will appear in the very entrie thereof, which mould I could not change, because of the want of health, and other Inconveniences.

„ **B**eing called before his Majesties Privie Council to give an account of the reasons, why I have not accepted of this present Indulgence, granted by his most excellent Majestie, to several Presbyterian Ministers in Scotland, I desire
 „ humble and in the fear of God (who standeth in the Congregation of the Mighty, and Judgeth among the Gods) to give this true, sober and ingenuous Relation
 „ of such things, as did and doe invinciblie binde me, why I cannot accept of this
 „ late complex Indulgence, framed in three distinct Acts of Council, of the Date
 „ Sept. 3. and 7. 1672. To which I shall premit these things briefly.

„ 1. That it is well known to all the Protestant Reformed Churches abroad;
 „ concerning the Constitution and Government of this ancient Church of Scotland
 „ for many yeers, and particularly in the year 1660, That it was framed according
 „ to the Word of God, confirmed by many laudable and ancient Lawes of the Kingdome, and solemnly sworne to by all Ranks within the same.

„ 2. It is also found by lamentable experience, that since that time this Ancient
 „ and Apostolick Government is wholly overturned in its very Species and kinde,
 „ and that by the Introduction of Lordly Preiacie, which is tyrannically exercised;
 „ whereby the Church was suddenly deprived of her lawfully called Pastours, and
 „ their roomes filled by strangers, violently thrust-in upon the people, many of
 „ whom have proven scandalous and insufficient.

„ 3. The sad Effects of these things are conspicuously apparent upon the face of
 „ this Church this day, such as involving the Land in great backsliding and defection,

„tion, the abounding Ignorance & Atheisme, the overflowing state of Sensuality & Profaneness like to *Sodom*, the increase of Poperie and Errour through the Land, even to the height of Antichristian Paganisme, & Quakerisme; The sharp suffering and smartings of many of his Maj. loyal Subjects through the Land; meerly because they cannot conforme to the present Prelatical frame; and finally the increase of Animositie, Dissentions, Divisions, jealousies, and Differences among the Subjects.

„4. Whatever Power sound and orthodox Divines do acknowledge the Magistrat to have, and may have exercised in a troubled and extraordinary state of the Church; yet it is not at all yielded by them, that the Magistrat may in any wayes, alter its warrantable established Government, and so turne that same troubled and perplexed state and frame of the Church, made such by himself, meerly to be the subject of his magisteriall authoritative Care and Operation.

„5. That I be not mistaken, as denying to his Maj. his just Power in Ecclesiastick matters, I do humble and with great alacritie acknowledge, that the Civil Magistrat hath a power *circa Sacra*, which power is objectively Ecclesiastick; so as he by his Royal Authoritie may enjoyn that whatsoever is commanded by the God of Heaven, may be diligently done for the House of the God of Heaven; which Power also is by Gods appointment only Cumulative and Auxiliary to the Church, not Privative, nor Destructive, and is to be exercised alwayes in a Civil manner.

„As to the Reasons of my not-acceptance of the present Offer, and not repairing to the place designed by the Council: They are

„1. That our Lord Jesus Christ, Mediator, the King and Lawgiver of his owne Church, hath committed all Ministeriall Authority, for Government of his House, to his own Church-Officers, as the first proper subject and receptacle thereof, *Ioh. 20: v. 21. At my Father sent me, so send I you. Math. 28: 18. 19. 20. All Power is given to me in Heaven and Earth, go ye and preach the Gospel. 2 Cor. 10: v. 8. Our Authority which the Lord hath given us for edification, and not for destruction. &c.* But so it is that the Act explanatorie of his Maj. Supremacie in the Church, (whereupon the Act of Indulgence is grounded) doth not only claime the Power to belong of right to his Maj. and Successours, as an inherent privilege of the Crown, but doth actually also invest and cloath him with the formal exercise thereof in his own Person, and that he may derive the same, and convey it to others; as in his Royal wisdom He shall think fit: For his Majesty is pleased to designe and make application of Ministers to Congregations, and that, without the previous call of the People, and power of the Presbytery (which would suppose the Civil Magistrat to have Authoritie to judge of the suitableness of Ministers parts and gifts to labour amongst such and such a people.) As also to frame and prescribe Ecclesiastick Rules, relating to the exercise of the Ministerial Office, as also appointing a Commission to Plant and Transplant Ministers, as they shall think fit; Norwithstanding that it hath been unanswerable evinced, that Presbyterian Government is founded on the Word of God, and confirmed otherwayes abundantly.

„2. Although I do freely disallow and condemne all tumultuarie and seditious meetings (among which it is sad and grievous, that the peaceable meetings of the

„ Lords People for Worship, and hearing the Word soundly preached, should be
 „ reckoned; yet I am so convinced and perswaded in my heart of the Lords bless-
 „ ing, attending the preaching of the Gospel (though not in a publick Parish Church)
 „ as that I judge the narrative of the first Act to go near to involve my acceptance of
 „ this Indulgence, being an interpretative condemning of the saids meetings.

„ 3. There is a standing relation betwixt me & another Flock, over which I was set,
 „ by the appointment of Jesus Christ in his word, which tye can never really be dis-
 „ solved by any other Power, than that which at first did make it up, and give it a
 „ being: And after that I had Ten years, (during the English Usurpation) wrestled
 „ in opposition to *Quakers & Independants*, in the place, where the first breach had been
 „ made upon the Church of Scotland, I was without any Ecclesiastick sentence thrust
 „ from the publick exercise of my Ministrie in that place, where there will be 1200.
 „ examinable Persons, whereof there were never 50. Persons, yet to this day, who
 „ have subjected themselves to him, who is called the Regular Incumbent; And
 „ that even when I was living 30. miles distant from the place. Now what a door
 „ is hereby (by my being kepted from my Charge) opened to Error, Atheisme
 „ and Profaneness may be easily conjured by those, who hear of the deplorable
 „ case of that people? And what a grief must it be to them, to have their owne Law-
 „ ful Pastor shut up in a Corner, whereby we are both put out of a capacitie to re-
 „ ceive any more Spiritual comfort flowing from that Relation, which is yet in force
 „ betwixt us? Or how is it to be imagined that any new supervenient relation can
 „ result betwixt another Flock and me, by vertue of an Act only of a meer Civil Ju-
 „ dicatorie? Beside, that the people, in whom I have present Interest, are utterlie
 „ rendered hopelesse, by a clause in the end of the first Act *viz. That the Indulgence*
 „ *is not hereafter to be extended in favours of any other Congregation, than these mentioned*
 „ *in the Act*, whereof they in that Parish are none.

„ 4. That I will not offer to debate the Magistrat's sentence of Confinement, let be
 „ his Power to doe the same; yet I shall soberly say, there are so many things attend-
 „ ing the present application thereof to my Person, that it cannot be expected, I
 „ should give that Obedience hereto, which might inferre my owne Consent or Ap-
 „ probation, for 1. Though this Confinement be called a gentle remedie of the great
 „ evils of the Church, in the narrative of the first Act, yet it is found to be a verie
 „ sharp punishment, as it is circumstantial. 2. All punishments, inflicted by Magi-
 „ strats on Subjects, ought to relate to some Cause or Crime, and cannot be done
 „ arbitrarily, without oppression, which truth is ingraven on the light of nature: For
 „ *Festus*, a heathen Man *Acts 25:27.* could say, It seemeth to me unreasonable to send a
 „ Prisoner and not withal to signifye the crime laid against him; yet am I sentenced
 „ and sent in fetters to a Congregation, without so much as being charged with any
 „ crime. And all the world are left to collect the reason of this Censure. 3. If
 „ my Confinement relate not to any crime, it must needs relate to a designe,
 „ which designe is obvious to Common sense, *viz. that I should preach and exercise*
 „ the Office of my Ministrie, whollie at the appointment & disposal of the Civil Ma-
 „ gistrat; and a sentence of Confinement is less obvious to debate and dispute by the
 „ Subjects, and will more easily goe downe with any simple man, than an express
 „ command to preach, grounded on his Maj. Royal Pretogative and Supremacie,
 „ and cannot readily be refused by any, unless a man make himself to be constructed,
 „ „ a squimish

„ a Squimish wild Phanatick, and expose himself to great sufferings; to this Confin-
 „ ment, which hath both his *Maj.* Prerogative and Supremacie in Ecclesiastick mat-
 „ ters in it, comes to me in room, and that directly, of the Peoples Call, and Pres-
 „ byteries Authoritie and other Ecclesiastick Appointment. Now this designe,
 „ however closely covered, I dare not in Conscience, yea I cannot (with the pre-
 „ servation of my Judgment and Principles) concurre with; or be consentient thereto,
 „ to. 4. By the Confinment I am put to an open shame before the world, and particu-
 „ larly in that place, where I am permitted to preach the Gospel: For what weight
 „ can my preaching or ministerial Acts of Discipline and Government have, while I
 „ my self am handled and dealt with as a Malefactor and Transgressor, a Rebel or
 „ Traitor to my Prince & Nation? Or how can I preach the word of the Lord free-
 „ ly and boldly against the sinnes of the time (as against Profaneness, Errour, Inju-
 „ stice and Oppression) as Ministers ought impartially to do, while I am kept under
 „ a perpetual check of the sword of the Magistrat at my throat? This to me is not
 „ preaching, but an over-awed discourse: Moreover, I become a prey for any malici-
 „ ous prejudicat hearer, who shall happen to accuse and informe against me. Can
 „ I be answerable to God who sent me, to render up my self willingly to be a servant
 „ of men? Were not this to cut-out my owne tongue with any owne hands? 5. This
 „ Confinment is not simplic or mainly of my Person, (which sentence if it were so,
 „ I should most willingly undergo) but it is of the Office it self (the imprisonment
 „ of which ought to be sadder to me, than any personal suffering whatsoever) while
 „ 1. It is not of me alone, but of all the Presbyterian Ministers in Scotland, a very
 „ few only excepted. 2. While the propagation of the Gospel by the personal restraint
 „ of us all is manifestly obstructed. 3. We are cut off from the discharge of ma-
 „ ny necessary duties, which we owe to the Nation and Church, and specially
 „ at such a time, while she is in hazard to be swallowed up with a swarm of Jesuits,
 „ Quakers and other damnable Subverters of the Truth; and (which is yet more)
 „ while three parts of the Kingdom, are groaning under the want of the Word, faith-
 „ fully preached, and some few Shires only here in the West are made, as it were,
 „ the Common Goal of all the Ministers, that are permitted to preach. 4. By this
 „ Confinment, I lose an essential part of my Ministerie, which is the exercise of Ju-
 „ risdiction and Church Government; which yet *Mr Baxter*, (a very favourable
 „ non-conformist) asserts to be as essential to the Office of a Minister, as Preaching
 „ of the word; The staff being as needful to the Shepherd, as either the pigg or the
 „ horne is; so says the Scripture of preaching Elders *Acts*, 20. 28. The Holy Ghost
 „ hath made you Overseers or Bishops, no less then Teachers; a principal part of
 „ which Government is Ordination of Ministers, for preservation of a succession of
 „ faithful men in the Church; whereof by the Act of Confinment (as also is ex-
 „ pressly provided by the last clause of the last Act) we are intentionally deprived
 „ for ever, while it is in force: In losing of which one branch of our Government,
 „ we undo our own cause with our owne hands. I remember the first thing the ambi-
 „ tious Romane Clergie invaded and usurped, was the Jurisdiction and Authoritie of
 „ 3. Presbyters, turning the Ministers of Jesus Christ into the Prelats juree men,
 „ making Curates of them; only for preaching and intimating the Bishops mandats,
 „ And what else doe I in this case, but make the Ministerie of the Gospel in my
 „ Person Immediately dependant, in the exercise of it, upon the arbitrament of the
 „ Civil Magistrat.

5. As for the Permission and Allowance I have to preach, when confined, This
 Permission seemeth very fair, while I look on it abstractly, without relation to the
 rest of the Particular circumstances of the Act; for this would look like opening
 the door in part, which the Magistrat himself had shut; but while I take it com-
 plexly with what else is joynd with it, it doth presently carry another face,
 like some pictures or medals that have two or three different aspects to the eyes of
 the beholder: For Permission to preach in any vacant Church within the Kingdom
 is so very great a favour, as for which I would desire to bless God, and thank his
 Maj. most heartily: But take it without the previous Call of the people, the Au-
 thoritie and Assistance of a Presbyterie, as it may be had; and take it without the
 exercise of Discipline and Government, but what is Congregational; and so it
 is lame. Again, take it with the Confinement and other claggs and caveats, con-
 tained in the 2. Act, Or take it with the burden of being obliged to follow all
 matters (formerly referable to Presbyteries and Synods) before these Presby-
 teries and Synods, which are now constitute by Bishops and their Delegates; and
 so it is nothing but that same Accommodation, which we formerly had in our of-
 fer from the Bishop, and did refuse: And take it yet with the robbing of our
 owne Congregations, and with the depriving of three parts of foure of the whole
 rest of the Land, and then I have it to consider, whether this my Permission to
 preach be not the putting of my neck under a heavier yoke, than it could be under
 before.

6. The last Reason (for brevity) is from the Affinity with and dependance this
 Act of his Maj. Royal Indulgence hath upon the late explanatorie Act of his Maj.
 Supremacie, (which I desire with sorrow of heart to look upon, as the greatest In-
 croachment can be made upon the Crown and Authority of Jesus Christ, who is
 only King and Lawgiver of his Church upon Earth) as will be evident by com-
 paring the two Acts together; For the Act of his Maj. Supremacie (besides the
 narrative) contains two principal parts, viz. (1) The Assertorie of his Maj. Su-
 premacie, which is the main Theam proposed to be explained, in these Words:
The Estates of Parliament do hereby Enact, Assert and Declare, that His Majesty hath
the supreme Authoritie and Supremacie over all Persons, and in all Causes Ecclesiastick,
within this Kingdom. (2) The Explanatorie part followes, in so many most
 comprehensive and extensive Branches and Articles, thus: *That by vertue thereof the*
Ordering and Disposal of the external Government of the Church doth properly belong to
his Maj. and his Successors, as an inherent right of the Crown, and that his Maj. and
Successors may Settle, Enact & Emis such Constitutions, Acts & Orders, concerning the
Administration of the external Government of the Church, and the Persons employed
in the same, and concerning all Ecclesiastick meetings and matters, so be proposed and
determined therein, as they in their Royal Wisdoms shall think fit.

Again the Act of his Maj. Royal Indulgence, which is the exercise and actual
 application of his Supremacie in matters Ecclesiastick, may be taken up in these
 particulars comprehensively. (1) The nomination and election of such and such
 Ministers, to such and such respective places. (2) A power to plant and trans-
 plant, put out and put in Ministers to the Church. (3) The framing and prescri-
 bing Rules and Instructions, for limiting Ministers in the exercise of the Ministe-
 rial Office. (4) The ordaining Inferiour Magistrats, as Sheriffs, Justices, &c. to
 informe

informe the Council every six moneths, under highest paines; anent the carriage
of *Indulged Ministers*; and how they observe the foresaid Rules. (5) The Con-
fining of *licensed Ministers* to one small Corner of the Kingdome, and declaring
all other Places and Congregations whatsoever within this Nation to be incapable
of any share of this Royal Favour, except such places only as are expressly con-
tained in the Act itself. Now, that these Particulars of the Act of Indulgence
are of the same nature and kinde with the Articles Explanatorie of his Maj. Su-
premacie, will demonstratively appear by this plaine Argument, viz. To *Settle*,
Enact, Emitt Constitutions, Acts and Orders concerning Matters, Meetings and Persons Ec-
clesiastick, according to their Royal pleasure, is the very substance and definition of his
Majest. Supremacie, as it is explained by his Estates of Parliament. But the Act
of his Majest. Indulgence, in the whole five foresaid particulars thereof, is only
to *Settle, Enact and Emitt* such Constitutions, Acts and Orders, concerning mat-
ters, and Meetings, and Persons Ecclesiastical, according to Royal pleasure:
Therefore the Act of his Maj. Indulgence is the substance and definition of his Maj.
Supremacie, as it is explained by his Estates of Parliament. The Rules and
Instructions for limiting Ministers in the exercise of their Office, as also the rest of
the two foresaid Particulars of the Indulgence, are such, as I declare I cannot
accept of them, or any other favour whatsoever, upon such termes and condi-
tions; because they containe the down-right exercise of *Erasianisme* (as I humbly
conceive; and a discretive judgment of such Acts as a man resolving to practise can
not be denied him, unless men be turned into bruits, and so be ruled no more
as reasonable creatures) namely, the Magist'rat by his proper and elick Acts,
doing that which is purely Spiritual and Ecclesiastick, as a Nonothetick Head and
Lawgiver, framing such Lawes and Constitutions Ecclesiastick, as are not com-
petent for any Ministerial or Declarative Power to enact or impose; but of that
Power only, which is absolutely Sovereigne: and whatsoever will militate against
an Ecclesiastick Person, to arrogate to himself to be Christs Vicar on Earth, and a
visible Head, to give and make Lawes for the Church, according to his pleasure;
The same also will make much against any other, though the greatest in the World, to
assume to himself this Prerogative, so long as he can produce no divine warrant
for this claimie. A more particular consideration of these Rules, and other Parti-
culars, I must needs (for brevity) forbear.

My Noble Lord.

HAVING, in the singleness of my heart, and I trust without any just ground of offence, given this short and sober account of the Reasons, why I have not made use of his Majest. Royal favour and Indulgence, And being fully perswaded in my Conscience, that both Magistracie and Ministry are Gods Ordinance, & no wayes destructive, but mutually helpful one to another; so that I can not but earnestly long, That the Lord, who hath the hearts of Kings and Rulers in his hand, would put it in the heart of our great Sovereigne (and in your Gr's heart to be instrumental therein) that he would grant us, Ministers, libertie to make full proof of that Ministry; which the Lord hath given us for edification, and not for destruction; that we might have the opportunitie to make it appear, that the Governmen-

„government, which the Lord Jesus hath appointed in his Church, doth well con-
 „sist and agree with the Magistrat Civil Government in the State, that so I and all
 „others, my ouited Brethren, may have access to our former Charges, or other
 „Congregations, as we shall have opportunity of a cordial Invitation from the
 „people, with the assistance and help authoritatively of lawful Church Judicato-
 „ries, until such time as God shall grant a patent way to returne to our own Char-
 „ges. (2.) And that Presbyterian Ministers may have access to his Maj. for re-
 „presenting just grievances, which press heavily our Consciences, and the con-
 „sciences of the people, his Maj. loyal and faithful Subjects in the Land. In grant-
 „ing of which necessary and just desire, I your Gr's. Servant shall be a humble Sup-
 „plicant at the Throne of Grace, for the preservation of his Maj. Person, the esta-
 „blishing of his Throne in righteousness; and that the Lord would poure forth the
 „Spirit of righteous judgment on your Grace that the Lord may be blest, and your
 „Grace may finde mercie in the day of visitation. J. BURNET.

By this free and faithful Testimony, we see what Reasons moved him not to ac-
 cept of this supposed favour; and particularly we may observe, that one main Rea-
 son was, the Relation and Affinitie, that was betwixt the Act of Indulgence, and
 the Explicatory Act of Supremacie; so that who ever accepted of this Indulgence,
 could not but be looked upon as virtually and materially (at least) approving and
 consenting to the Supremacie; & what iniquity lyeth wrapped-up in this, a few words
 could not express.

But Moreover there were Ten Ministers (I suppose worthie Mr John Burnet fore-
 mentioned was one of them) who did meet together upon the same account, to
 draw up reasons of their refusing the Indulgence, to be presented unto the Council:
 But though the Paper was drawn up and subscribed; yet I did not hear, that it was
 presented. However, because it may also contribute some light and confirmation,
 I shall set it down here, as I had it.

„ALL of us being concerned and reached by the late Act of Indulgence and Con-
 „finement, & some of us being already cited to give an account, why we have not
 „accepted the same, do humble desire, in the fear of God, (who standeth in the
 „Congregation of the Mighty, and judgeth among the Gods) to give this true, so-
 „ber and ingenuous relation of the Reasons, which lye weighty on our Consciences;
 „and binde us up from compliance with your LL. Commands, in this matter;
 „briefly premittin *first*. That our non-compearance hath not flowed from any con-
 „tempt of, or disrespect unto Authority (which we alwayes highly esteem in the
 „Lord, as our Consciences bear us witness, resolving through grace to submit there-
 „to, in all things Lawful) but from the apprehension, we have conceived of the
 „hazard of our Ministrie and Persons thereby; lest by our personal appearance, and
 „signifying our reasons *scilicet*, we might have probably irritated your LL. *Secondly*.
 „That we be not mistaken, as denying to his Maj. his just power, in reference to
 „Ecclesiastick matters, we do heartily and with great alacrity acknowledge, that
 „the Civil Magistrat hath a power *circa sacra*, objectively Ecclesiastick; so as he by
 „his Royal Authority may enjoin, that whatsoever is commanded by the God of
 „heaven,

„heaven may be diligently done for the house of the God of heaven: Which power is only *consulative* and *auxiliary* to the Church, not *privative* nor *destructive*, and is to be exercised always *moderately*.

„As to the reasons enough to say which might be adduced (not willing to trouble your L. L. with prolixity) we humbly propose these few.

„1. That our blessed Lord Jesus Christ, Mediator, the only Head, King and Law-giver of his own Church, hath committed all Ministerial Power and Authority for Government of his House, to his own Church-Officers, as the first proper Subject and Repository thereof Joh. 20: 23. Mark. 16: 19. and 18: 18, 20. and 28: 19. 18: 19. 20. A. 13: 30. &c. But seeing that the Act explanatory of his Maj. Supremacie in the Church, whereupon this Act of Indulgence is founded, doth ascribe this Power to his Maj. and his Successors, as an inherent right of the Crown, and actually invests him with the formal exercise thereof, in his own Person, deriving and conveying the same so close, as he in his Royal Wisdom shall think fit: And that the Act of Indulgence appeareth to be the Exercise and Actual Application of the Supremacie in Matters Ecclesiastick, is obvious by comparing the two Acts together, namely in these 3. Particulars. (1.) The Nomination and Election of such and such Ministers to such and such respective Congregations, and that without the previous Call of the People, and Power of lawful Church-Judicatories, which supposeth the Civil Magistrate to have Authority to judge of the fitness of Ministers Gifts and Qualifications, to labour among such and such people. (2.) A power to plant and transplant, to put out, and to put in Ministers in the Church, and actually clothing Persons merely civil with Power for that effect. (3.) The framing and prescribing Ecclesiastick Canons and Instructions, for regulating the exercise of the Ministerial Office: all which are proper, intrinsic and formal Acts of Church-power, belonging by virtue of Christs Institution to Church-Officers.

„2. Although we do freely disallow and condemn all tumultuary and seditious Meetings (amongst which it is sad and grievous that the peaceable Meetings of the Lords people, for Worship and hearing of the Word soundly preached, should be reckoned) yet are we so convinced and persuaded in our hearts of the Lords blessing attending the preaching of the Gospel, though not in a publick Parochial Church, as that we judge the narrative of the first Act goes near to involve the Acceptants of this Indulgence in an interpretative condemning of the said Meetings; which we in Conscience dar not do, being commanded to abstain from all appearance of evil 1 Thes. 5: 22.

„3. There being a standing relation between us and those flocks, over which the Holy Ghost hath made us Overseers according to Christs Institution in his word, the sense of which we engageth us, to have special regard to these flocks, until they be dissolved by the same power, that made it up and gave it a being; besides that by keeping us from our Charges, a wide door is opened to Error, Atheisme and Profanity, and we disabled to discharge the trust committed to us by Christ, for which we must be answerable to him, in that great day of accounts: What grief must it be to the people to have their own Lawful Pastours shut-up in a Corner, whereby both we and they are put out of a Capacity for performing of those duties, which tend so for mutual Comfort and Edification; which no doubt is

much aggravated by the Intrusion of others, whom they cannot acknowledge as their Lawful Pastors, they looking on the former relation, as yet in force.

4. Though we be far from questioning the Magistrats just power to confine any of his Subjects within his Dominions; yet there are several things in the present complex case, which we do humbly desire to present to your L. L. as burdensome to our Consciences, as (1.) That this Confinement is not simple of our Persons, but of the Ministrie it self, the Imprisonment of which should be sadder to us, than any personal suffering whatsoever; while, *First*, It is not of one or two, but of all the Presbyterian Ministers of the Church of Scotland; a very few only excepted. *Secondly*, While the Propagation of the Gospel, by the personal restraint of us all, is manifestly obstructed. *Thirdly*, We are cut off from the discharge of many necessarie duties, which we owe to this National Church; and specially at such a time; when so much in hazard to be swallowed up with the flood of *Papists*, *Quakers* and other damnable subverters of the Truth; and which is yet more, that the three parts of the Kingdom are groaning under the want of the word faithfully preached. As also by this Confinement, we lose the exercise of an essential part of our Ministrie *viz.* Jurisdiction and Church-Government, a Principal part whereof is Ordination of Ministers, for preservation of a succession of faithful men in the Church, whereof by this Act of confinement (as is also expressly provided by the last clause of the last Act) we are intentionally deprived for ever, while it is in force; in losing of which, we do base our cause with our own hands (2.) We cannot but sadly regrave, that no Physical restraint is put upon *Papists* & *Quakers*, yea while their Meetings and Conventicles have been found and known, yet not all quarrelled. But the Meetings of Orthodox Protestants hunted, pursued and obstructed, to the great griefe of all the Godly in the Land, though nothing hath been found in them to the prejudice of the peace of the Kingdom, or his Maj. true Interest (3.) It is no small grievance, that we are cast in two's and three's in one Paroch, where there is no need of our Ministrie, nor accommodation for our families, while there are Thousands left to the oversight of others, both insufficient and scandalous.

5. By the last Act of this Indulgence, all Ministers not indulged are prohibite the exercise of their Ministrie, even as to the preaching of the word, except in the places of their respective confinements, and that upon a call from the Incumbent allannerly: And in their summonses are required to engage to the same; which being contrare to the Scripture commands, and the Commission delivered to us by the Lord Jesus, for feeding of his people by the everlasting Gospel, doth cast us upon a sad dilemma either of disobeying God, or your L. L. so that we must say, Whether it be better to obey God or Men, judge ye.

And now, My Lords, having in the singleness of our hearts, and, we hope, without any just ground of offence, given this short and serious representation of our thoughts, in this affaire; we humbly intreat your L. L. to give a favourable hearing to these our subsequent just and necessarie desires *viz.* 1. That your L. L. would not construe our non-compliance with the Indulgence, as tendered in the forementioned Acts, to proceed from humour and peevishness; but from Conscience, which makes us, that we dar not be silent in matters of so great concernment to our Lord and Maker, to whom in the first place we owe fidelity, upon

all

all highest paines; and that our hearts may not condemne us, in withholding
 from *Cæsar* what is *Cæsar's*, nor in giving to him, what is the Lords. 2. That
 we be not pressed to go to our Confinements, nor proceeded against as disloyal,
 and contemners of Authority, on that account; and that we may have liberty
 to preach the Gospel to our own respective flocks, and to others, as we have access
 in providence. 3. That your *L.L.* would be pleased to deal with his *Maj.* to take
 off the legal restraints on our Ministrie and Persons; that we may peaceably give
 ourselves to the work of the Ministrie, for the Edification of the body of Christ. 4.
 &c. Lastly. That your *L.L.* would seriously consider, in the sight of the most high God
 (before whose tribunal we are all shortly to appear, and give an account of our actions)
 the heavy pressures and burdens, lying on the Consciences of Ministers and
 People for meeke preaching, and hearing of the word; which pressures have main-
 ly flowed from the heavy yoke of Prelacy (a plant that our heavenly Father
 never planted) under which this Church hath groaned those many years. And
 also we most humbly beseech your *L.L.* that what favour it shall please his *Maj.*
 in his Royal Clemency to grant, may not be inconsistent with our known Prin-
 ciples, to which we stand engaged by solemne Covenant and Oaths. In granting
 of which desires, as your *L.L.* will undoubtedly make glade the hearts of many
 Thousands of his *Maj.* Loyal Subjects; so ye will much encourage us, your
 humble Petitioners, to continue serious Supplicants at the throne of grace, for
 Establishing his *Maj.* Throne in righteousness, and for pouring out a spirit of righ-
 teous judgement; that we may lead a peaceable and quiet life, in all Godliness and
 honesty.

By these Testimonies and Papers, howbeit not all presented either to the Chancel-
 lour or Councel, as was in singleness intended by some, we may see, that there
 wanted not weighty reasons to have moved such, as loved to walk tenderly, and
 circumspectly, in such a day of trial and snares; to have peremptorily refused this so
 dangerous, so ensnaring, so scandalous and so destructive an *Indulgence*.

We shall now proceed in our Historie, and hasten to an end thereof. The fol-
 lowing year, *to wit*, 1673. Some Ministers, who had been Indulged, were now cited
 before the Councel, for not observing the 29. of *May*. and other Instructions given
 unto them, of which, and of the carriage of these Ministers at that time, we shall take
 occasion hereafter to speak more fully, and shall content ourselves now with the
 simple relation of the matter, as it stands in the Registers.

Vpon the 8. day of *July*, 1673. The Ministers underwritten, who were Indulged
 to preach, at the Kirks, specified in the Councels Act of the 2. of *Septemb.*
 1672. and formerly, being conveyed before the Councel, *viz.* Mr *John Craw-*
ford, Mr *Anthony Murray*, Mr *John Hammitoun*, Mr *John Oliphant*, Mr *James*
Currie, Mr *John Lauder*, Mr *John Stirling*, Mr *James Hutcheson*, Mr *John Bair-*
dy, Mr *John Eccles*, Mr *Andrew Dalrymple*, Mr *John Gemmil*, Mr *Hugh Campbell*,
 Mr *Alexander Blair*, Mr *James Veitch*, Mr *William Fullertoun*, Mr *John Hutcheson*,
 Mr *Robert Miller*, Mr *George Ramsay*, Mr *John Bell*, Mr *Ralph Rodger*, Mr *William*
Dillidaff, Mr *Georg Hutcheson*, Mr *John Spading*, Mr *John Wallace*, and Mr *Wil-*
liam Mairland; and all of them, except the saids Mr *John Bairdy*, Mr *John Craw-*
ford and Mr *William Fullertoun*, compearing, and all of them, except the saids

„ Mr John Spading, Mr John Wallace, and Mr William Maitland acknowledging that
 „ they had not observed the 29. of May 1673. The Council did finde them to have
 „ contravened the 22. Act of the third Session of his Maies. second Parliament; and
 „ therefore fined ilk one of them, in the halfe of their respective proportions of the
 „ Stipends, allowed to them by the Act of Indulgence. and that for the Crime and
 „ year of God 1673. And in regard the saids Mr John Spading, Mr John Wallace,
 „ and Mr William Maitland did observe the 29. of May, the Lords of Council al-
 „ soiled them; and ordained the three Persons not compearing to be denounced Re-
 „ bels. And further, the said Mr Alexander Blair Minister at Glasgow, being pub-
 „ lickly disowned the King and Councils Power, in giving them these Instructions,
 „ appointed for the Indulged Ministers; the Lords of Council did ordaine him im-
 „ mediately to be carried to the Tolbooth of Edinburgh, and there to be kept staid
 „ prisoner, until further order. And in regard divers of their Indulged Ministers
 „ did pretend, they had not received the saids Instructions, did cause deliver to them
 „ extracts thereof at the Bar, that they might pretend an ignorance of the same.

Edinbr. the 10. of July 1673.

„ The Ministers underwritten being convened for the cause foresaid, were fined
 „ as *supra*, upon their own Confession, viz. Mr John McMichen and John Scrimm.
 „ And Mr John Colt not compearing was ordered to be denounced.

Edinbr. the last of July 1673.

„ The Ministers underwritten were also fined upon their own Confession, as *supra*,
 „ for the causes foresaid, viz. Mr John Scot, Mr James Fleischer, and Mr Robert Mowat.

„ Upon the 4. of Septemb. 1673. Mr Alexander Blair is ordered to have liberty
 „ upon caution, that during the time of his Inlargement, he should keep himself
 „ in the Houfe of *John Weir*, nigh the Weigh-House of Edinbr. and re-enter his Per-
 „ son within the Tolbooth thereof, within the space of one Moneth. And that during
 „ the said space, he should not keep any Meetings, contrary to the standing Lawes
 „ of the Kingdom, under the paine of 5000 Merks Scots money. And upon the
 „ 8. of Januar. 1674. his Inlargement is prorogat for the space of fourteen dayes, up-
 „ on caution of the summe, and in the former termes.

But before this short time was fully at an end. He was called home to his Master's joys
 of whom, &c. of the ground of his particular sufferings, we will here occasion to speak
 something hereafter; and therefore it will be sufficient at present, for clearing of what
 is past concerning him, to give a short deduction of the matter. When Mr Alex. Blair,
 and others (as we saw above) were called before the Council, upon the occasion
 mentioned, The Council enquired if they had observed the Instructions that were
 given unto them; some answered that they had never seen them; whereupon the Coun-
 cel resolved, to prevent this excuse in time coming, to give to every one of them Se-
 veram a Copie of these Instructions. When the day appointed hereunto commeth, they all
 compear, (what was their Deliberations and Resolutions, in the *Interim*, and what
 was the carriage of the rest, that day, we will have a fit occasion to speak hereafter)
 the Copie of the Instructions is given to each of them. Standing Caxam at the Bar;
 Several had received them before, they were presented to Mr A. Blair. But when they
 are given to him, he, being moved with zeal, and remembering whole Ambassadors
 he

he was, told the Council plainly, that he could receive no Instructions from them, to regular him, in the exercise of his Ministrie; otherwise he should not be Christs Ambassador; but theirs; and herewith letteth their Instructions drop out of his hand, knowing of no other *safer*, or manner of testifying for the Truth, in the case. The Council, seeing what a direct Opposition this was unto them in their Designes, in a rage sent him with a Mace unto prison; which made a great noise in the City, the more serious, though sorrowful at his sufferings, yet rejoicing that he had witnessed a good Confession, and so had perpetuated the Testimonie of the Church of Scotland her patience. This could not but carry some sad reflection with it on the rest, who had receiv'd, and come away with these Instructions in their hand; wherefore some Judicious and serious Ministers in the Town, being filled with shame and sorrow both at what past, endeavour'd to call the rest together, that they might owne Mr Blair's Testimonie, vindicate themselves, and prevent the contempt; under which otherwise they would lye; but though they did meet, yet nothing of this kind could be granted; some would not move one step forward; and the rest, out of a pretence of love to Union, though in evil, would not leave them; but they all, notwithstanding of all their love to Union, left Mr Blair alone, who yet was not alone; his Matters presence making up the want of his Brethren their fellowship; at this meeting, I heard there was a motion made, that some should be appointed to write about the Magistrats Power in Church-matters; as if they, forsooth, could have found-out new Principles, to have justified their own proceedings, so point blank contrary to all the Actings of the Church of Scotland, and of the faithful in it, from the beginning; and if the Person that drew up their Vindication (of which afterward) was appointed hereunto, I should have expected nothing but a piece of Vedelian Pedantrie: But it was good, that this motion was also laid aside. However faithful and honest Mr Blair must moreover suffer by their Tongues; for they were not ashamed to say, that all his suffering was for his rude and unfutable carriage before the Council, though all that knew him, knew him to have as much of a Gentle-man, and of good breeding, as any of them: But the Truth was (as a faithful Person, to whom he himself spoke it, did report) he had that day bowed the knee to the Father of our Lord Jesus Christ, and with much earnestness begged Counsel and Courage, in order to a suitable carriage, at that appearance, and finding his heart enlarged, did not leave praying that morning, until he had obtained some assurance, he should be assisted; and therefore came before the Council, with *Misjahs* Rudeness (if so it must be called,) as having got a sight of his Royal Master, and durst da. or receive nothing, that might countenance an encroachment upon his Prerogative Royal. It was also known, that some of those, who in their previous Meeting voted for Mr B. being their mouth before the Council, said now, they were glade he was not, for then he had marred all their Business: And in a Vindication of the rest, omitted by some of their number, he is also (as we shall hear) lashed, and that with the *Imago of hinc ille lacryma*, as if he had done more hurt by this Testimonie, than his own, and the lives of many were worth. While worthy Mr B. is (as we have seen) in prison, he falleth very sick, and friends and Physicians fearing his disease should prove mortal, he with much difficulty obtained the liberty mentioned, until he was taken home to glory. It is worthy of our noticing, That during the time both of this Imprisonment and Confinement

as the Sufferings of Christ abounded in him, so his Consolations also abounded by J. C. for all who converted with him returned comforted, by seeing and sharing of his Consolations; and particularly when drawing nigh to his end, how was his Soul made to rejoice, in reflecting on his being honoured and helped to give that Testimony? And with what Horrour and Indignation would he express himself, upon supposition he had done less than he did; yea, all his griefe and regrate was, that he had not done more. At length, when the time of the liberty granted, to abide in his Chamber, was almost expired, his glorious Master, who would want him no longer, nor suffer him to want the Confessors reward, sent and rescued him from the rage of Persecutors, and from the Reproaches of his deserting Brethren, and took him home to his Masters Joy; and the sound of, *well done good and faithful Servant*, filling his eares, made him shut his eyes singing, and give up the Ghost in assurance of being embraced, and of having access to embrace.

From all this, these things are observable, 1. That God, by the speaking significations he gave of his complacency in the Freedom and Fidelity of his Servant, wrote a sufficient refutation of all that was said by some, to disgrace both him and his Cause. 2. That here is a new witness from Heaven against these Innovations. 3. As also against the *Indulgence*, and the taking of these Instructions. Beside 4. The Encouragement given to all to abide faithful, in avowing Christs Privileges, and the Priviledges of his Church and Kingdom, even though abandoned of all, who should bear them Companie, or go before them.

Ere we returne to take further notice of what past, when the forementioned Indulged Ministers compared before the Council, we shall for a close out of the Registers mention these following Acts.

Edinbr. 6. of Feb. 1673.

„ A Nent a petition, presented by Mr Robert Hunter, now Minister at *Burrowstonness*, that conforme to an Act of Council, the petitioner did serve the
 „ cure at the Kirk of *Duning* for the 1671. and 1672. years, and after Martinmas last
 „ did transport himself to the Kirk of *Burrowstonness*, conforme to the Councils Or-
 „ der. And therefore humbly supplicating, that the Stipend of the said Paroch of
 „ *Duning* for the saids two years might be appointed to be payed to him. The Lords
 „ of his Maj. privie Council, having heard and considered the said Petition, do or-
 „ daine the said Stipend of the said Paroch, for the said two years, to be payed to
 „ the Supplicant; and that Letters of Horning be direct for that effect.

In the Year 1676. there came forth an open Proclamation, Dated March 1.

„ T H E Lords of his Maj. Privie Council considering that by their Act of the 3.
 „ *Septemb.* 1672. they did Order and appoint diverse ousted Ministers, to re-
 „ paire to the severall Paroches, therein specified; and to remaine therein confined,
 „ permitting and allowing them to preach and exercise the other parts of the Mini-
 „ sterial function in those Paroches, and did require and enjoin these Ministers,
 „ or any other Ministers indulged by former Acts of Council, to keep and observe
 „ the Instructions following, *as they would be answerable.*
 „ That they should not presume to Marry or Baptize any, except such as belonged

„ to the Paroch, to which they were confined, or to the neighbouring Paroches vacant or wanting Ministers for the times

„ That all Ministers indulged, in one and the same Diocess, should celebrate the Communion upon one and the same Lords Day; and that they should admit none to their Communion belonging to other Paroches, without testificats from the Ministers thereof.

„ That they should preach only in these Kirks, and not in the Church-yards, nor in any place else, under the paine to be repute and punished, as keepers of Conventicles.

„ That they should remaine within and not depart forth of the Paroches, to which they are confined, without licence from the Bishop of the Diocess onely.

„ And whereas it is informed, that the saids outred Ministers, indulged as aforesaid (at the least many of them) have violated and contravened the foresaid Orders and Instructions (upon which termes they were permitted and indulged to preach and exercise the other functions of the Ministry) whereby many disorders are occasioned. The saids Lords do therefore, of new againe, require and command all these Indulged Ministers to keep and observe the foresaid Orders and Instructions, in time coming, and specially for keeping within the bounds of their Paroches, and celebrating the Communion upon one and the same Lords day, as they will be answerable at their perill. And ordains these presents to be printed, and Copies thereof sent to the severall Ministers.

Nothing needeth be here observed beside the Parenthesis, where it is said, that the Observation of these Instructions was the termes, upon which they were indulged; and therefore when they accepted of the Indulgence on such termes, they consented to them, and professed and declared their willingness to accept of their Ministry, and of the free Exercise thereof upon these Conditions; So that whether they observed them punctually afterward, or not, the bargain was established, and they became obliged by their own deed, in accepting of these favours granted on these Conditions, to observe the Instructions carefully; and it was too late to say afterward, that the Conditions were not lawful, and therefore could not be observed, for that should have been said at first; and even upon that account alone, had there been nothing else, they should have plainly and peremptorily rejected the supposed favour. Nor will it avail to say, that they knew not, that the punctual observing of these Instructions was made the Condition of the granted favour; for though at first these Instructions, when given, were not expressly so called; yet the manner of proposal was such, as all who desired not willingly to run into a snare, might have been convinced, that so and no other wayes they were intended, and upon the matter could carry no other import. And if any were invincible ignorant hereof, at their first accepting of the Indulgence; yet now, when such a Printed Proclamation came forth, wherein this was *in terminis* expressed, and the Printed Proclamation ordered to be sent unto each of them, they could no longer pretend ignorance; and therefore were called, if they had been formerly really circumvented and cheated, now openly to have declared their unwillingness to accept of the *Indulgence* on these termes; and henceforth to have abandoned the same, and followed their Brethren to the Mountaines. But now when this was not done, but they remain-

ed in their warmest, how they can plead innocent before God, or Man, I see not.

We proceed to relate a few things following.

Edinb. 3. August. 1676.

THE Lords of his Maj. privie Council do hereby ordaine Mr John Stirling, Minister, who is confined to the Paroch at Haunnam, by an Act of Council and Indulged to preach in that Paroch, to transport himself from thence to the Town of Irwing, and confine himself to the Town and Paroch of Irwing, with liberty to preach and exercise the other Functions of the Ministrie, in that Paroch, as he did in the former, according to the Instructions of the Council, given to the rest of the Indulged Ministers.

By which we see, that the simple Act of the Council is the all and only ground of transportation from one place to another; and that alwayes the Instructions must go alongs with them, as the constant Companion of the Indulgence.

Edinb. 9. Novemb. 1676.

HAVING heard and considered a Petition, presented by the Magistrates of the Burgh of Irwing, supplicating that the Stipend of the Paroch of Irwing, vacant in the year 1676. might be allowed to the Petitioners, for defraying the Expenses, that Mr John Stirling will be at, in transporting himself to Irwing, and repairing the Kirk, School and Bridge of Irwing. Do allow the Supplicants the Stipend of the said Paroch, for the said year 1676. last year, which is vacant, for defraying the expenses of the said Mr John Stirling, and repairing the Kirk, School and Bridge of Irwing; and if need be, ordaine Letters of horning to be direct hereupon in forme as effects.

Edinb. 1. March 1677.

Anent a petition presented by Mr William Mainland, Minister at Beesh, shewing that the petitioner hath served the Cure, at the said Kirk, the two bygone years 1675. and 1676. without receiving any stipend, albeit he hath himself and a numerous family to maintain, which he will not be longer able to undergo, unless the Lords of Council be pleased to allow him the said stipend for the said two years service: And therefore humbly supplicating, that an order and warrant might be granted for that effect, in manner underwritten. The Lords of his Maj. privie Council, having heard and considered the foresaid Petition, do hereby grant order and warrant to the Heritors and others payable in payment of the stipend of the said Paroch of Beesh, to make payment of the same to the Petitioner, and that for ilk one of the said crops and years of God 1675. and 1676. and ordains Letters of horning and others to be direct thereupon, in forme as effects.

Edinb. 7. of March. 1677.

The Lords of his Majest. privie Council, do hereby ordaine Mr Alexander Hamilton, who is by Act of Council confined to the Paroch of Dalmeny, and permitted to preach there, during their pleasure, to remove himself from the said Paroch of Dalmeny to the Paroch of Dalserf, and that betwixt and the first day

day of *Aprile* next, and to confine himself within the said Paroch of *Dalserfe* till further order, as he will be answerable at his peril. And do hereby permit and allow the said *Mr Alexander Hammiltoun* to preach and exercise the other functions of the Ministrie in the said Paroch, till further order from the Council, upon the same termes, that he hath exercised his Office formerly in the said Kirk of *Dalmeny*.

So that we see the whole exercise of the Ministrie, is, by this *Indulgence*, wholly at the free and arbitrarious disposal of the Council, and depending upon their Orders. As also, we see, that the observation of the Instructions is an essential part of the bargain, being the termes and condition, on which the Indulgence is granted.

There came forth a Printed Proclamation *August*. 10. 1677. as followeth.

FOR as much as the Lords of his *Maj.* Privy Council, in pursuance of his *Maj.* Commands, signified to them by a Letter of the 7. of *June* 1669. did confine several outted Ministers to particular Paroches, with allowance to preach and exercise the other functions of the Ministry within the same, and did deliver to them certaine Instructions, to be kept and observed, upon which they did accept the Indulgence granted to them. And albeit these Instructions have been frequently repeated, and sent to these Ministers, yet diverse of them have contavened the same, without any manner of regard thereto. And whereas by his *Maj.* Letter foresaid, it is left to the saids Lords, to allow to these Ministers such parts of the Stipends, as they should think fit; and that from time to time, the Council hath given Orders and Warrants to the Heretors and others, lyable in payment of the stipend, to make payment thereof, as they saw cause; without which special warrant, they could not, nor cannot, warrantably pay the same. Notwithstanding whereof, it is informed that several Heretors have payed, or intend to pay these stipends, without special Warrant and Order. The saids Lords do therefore. Prohibit and discharge all Heretors, Fewers, Liferenters, and others, lyable in payment of the stipends of the Paroches, where these Ministers are confined, to make payment of any part of the Stipend to them, for the cropt and year 1677. and in time coming without a special Order & Warrant from the Council, under the penalty of being lyable in payment of the said Stipend againe, to such as the Council shall appoint, and further censured for their Contempt, and ordains these presents to be printed, and published upon a Sabbath day at the severall Paroch-Kirks, where the saids Ministers are confined, that no Person pretend ignorance.

In the Proclamation emitted in the preceeding year 1676. the Council said in plaine termes, that they granted the *Indulgence*, upon condition that the Indulged should observe the Instructions given; and here in this Proclamation, they say, that the Indulged did accept of the Indulgence granted to them, upon these termes; whereby we see that it was a full and formal compact, & the *Indulgence* was both granted & Accepted upon the termes specified. What can now be said for vindication of these accepters, I cannot imagine. If they should say: That all this is but the deed of the Council, with which they are not concerned. Yet it is certaine, that every one is

Master of his own favours, and may dispense them on what termes he pleaseth; and when the termes are known, upon which such favours are granted, and the favours formerly accepted are held, though the conditions should seem hard, yet the favour is embraced *cum hoc onere*; & any after signification of a dissatisfaction cannot but be unreasonable and insignificant. It would now have been thought, if the Indulged had not been satisfied with the termes, after such publick intimations were made unto the whole Nation, both of the grant of the favours, and of their acceptance, upon these termes, they would have signified their dissatisfaction with the bargain, and rejected the favour of the *Indulgence*, which they could have upon none, but sinful termes; especially now when their silence, and continuing in the possession of the favour, did not only interpretatively, but plainly and expressly, in the sight of the whole Nation, say, they were satisfied with the termes, and would rather submit unto them, than lose the benefit they had received in and by the *Indulgence*.

Upon which account possibly it was, that the Council, seeing that they had attained their end, in granting the *Indulgence*, and had found the Indulged so calme and pliable to submit to any termes they pleased to propose, did mitigate, within two moneths thereafter, the severitie of the last Act, in so far, as concerned the stipends; for *Osob. 4. 1677.* this Act was made, with which I shall end this historical Relation.

Edinb. Osob. 4. 1677.

„ The Lords of Council thought fit, that the Indulged Ministers shall not be
 „ put to a necessity of seeking yearly warrands for their stipends: But autho-
 „ rize, and appointeth the Heretores of the Paroches, where they serve, to
 „ pay them their stipends, according as they serve the cure, in whole, or in part.
 „ And to declare, that if any of these Indulged Ministers shall be found to contra-
 „ veen their Instructions, the Council will proceed against them, as they shall see
 „ occasion. And recommends to the respective Commissioners, appointed by the
 „ Council, for putting the Decrees of Council &c. and Acts against Conventi-
 „ cles and others, in execution, to see them keep their confinements; and to re-
 „ port if they finde them transgress.

We have thus deduced this Business of the *Indulgence* unto this period; and, as occasion offered, have hinted all alongs such remarks, as might suffice to give understanding in the matter, and to clear up the true state of the question unto the understanding and unprejudged Reader. And from what is said, the judicious may see what is to be said of the *Indulgence*, &c. of those Ministers, who have thus accepted thereof; though no more were said: Yet that fuller satisfaction may be given in this matter, I shall, according as I promised, turn back a little, and take notice of some things, that fell out Anno 1673. when severals of the Indulged were (as we heard) called before the Council, for not observing the 29. of May, and the Instructions that had been given to them; whereby we may be helped to some further clearness in this affaire.

And in this examination, I shall, as to the ground I go upon, be favourable to the Indulged, beyond all exceptions; for I shall only take notice of the relation of what passed, as made by one of themselves, in a Narrative (as it is called) concerning the carriage of some Ministers, who appeared before the Council in July last (so viz. 1673) written in answer to a friend, who desired to be informed about that affaire; and what stult

truth or falshood was in that Paper, scattered up and down among the People; concerning the same. And I suppose, no man will blame me for grounding my discourse against the Indulgence, and Indulged, upon this Narration, seeing it may be supposed, that this would be made as favourable to them and their cause; as truth would suffer; and I shall be loath to question matters of fact; nor shall it be necessary for me to examine every word in that Paper it being sufficient for my present business, to touch upon those things, which are most material, and which concerne our present question.

This Author tells us; that there were a considerable number of Ministers, who had obtained liberty from the Magistrat to preach publicly, without hazard of that legal restraint, under which they lay before, cited before the Council. But, not to exaggerate that word obtained, which would import, that these Ministers had been too active in procuring to themselves that liberty, as it is called; which, whether it was so, or not, I cannot determine, though this expression would give the Reader ground to suppose that indeed it had been so; I only observe, that his Construction of the *Indulgence*, and his Description thereof here given, appeareth too favourable, and more favourable than true; for sure there was more than this in the *Indulgence*; Matters had been thus, if the Act of *Glasgow* had been simply repealed, and every man permitted to returne home to his own Charge: But when that is not done; but every one of them sent to such places, as the Council thought meet, and appointed and ordained, there to abide, and to exerce the function of the Ministry, with such and such limitations, and upon certaine Conditions, held forth and made known, and (as the Council saith) accepted and submitted to, it is manifest that the matter had a far other face. Beside, that the granting of liberty to preach publicly without hazard, needed no such Act of Parliament, as is the Act of Supremacy, to save the granters in Law, and make the grant to stand good in Law. But what for a Possession this liberty is, the Charter, by which it is confirmed, may tell us. It can be no lawful Possession before God, which must have such a *de Novo damus*, and Charter to secure it: And that the *Indulgence* could not stand without this, we have seen above; and how, notwithstanding of all that liberty, the Indulged could not be secure, in point of Law, untill this explanatory Act of the Supremacy had past in Parliament Anno 1669. whereby not only what was done by King and Council, in licensing of so many, before that Act, was declared to be legal, because of the Kings Supremacy in Church-Affairs, never before so amply and fully declared and explained; but way made for prosecuting the same designe, in time coming; according as it came to passe. When the Indulgence standeth engaged thus unto; and under the favourable aspect of that unparalleled Supremacie, who, that is not wholly devoted unto the Supremacy, can give such a favourable verdict of the *Indulgence*, as this Author did? Beside, that impartial On-lookers will judge, that there was much more in this Indulgence, seeing it is obvious enough how the contrivance was made to break the honest suffering party, and (as some of the chiefe Contrivers said) to divide betwixt the Mad-Cap Phanaticks, and the more sober; to confirme the Usurpation, to strengthen the hands of Adversaries, to suppress and keep down the glorious and blessed Assemblies of the Lords people, and to settle people in a Sinful silence and stupid Submission to all the Incroachments, made on the Prerogatives of the Crown of Christ, and on the Privileges of his Church, and so the

overturning of the whole Work of God; and not only the *Intensio Operantium*; (which Wife men so circumstantiated; as they were, were called to eye and consider) was obvious and clear; but also the *Intensio Operis* was undeniable; however we may please ourselves, in devising terms of mincing and extenuating, whereby to paint it forth, as well as we can, if not so, as that it shall appear beautiful; yet so as that it may not appear so deformed, as indeed it is, and will be to all that view it in a just and upright mirror.

He saith that it is his *esse* nor necessary, to tell what was said to, or by every one of them, they being called in one by one; but this is certaine, that all of them (except two, who were dismissed upon their declaring that they had preached on that day, onely because it fell to be their lecture-day) declared they had not preached on that day, and did agree in substance upon this ground of their forbearance, that it did not flow from any dissolay or dissatisfaction to Authority; but that they had not freedom to observe any solemn fixed anniversary Day for religious Worshipp, besides the Lords Day. To which I shall only crave leave to say, not questioning the account he giveth here, though the Council's books tell us, that there were Three assailed, and that because of their observing that day; nor taking notice, that the Lords day is no anniversary day, but a weekly solemn day; nor doubting of the first part of their Apology; for as to some it may be more, than probable, that such was their loyal affection to Authority, that for fear of offending, they did not hold forth and plainly show the true ground, as they ought to have done. I grant the Parliaments calling that day, an *holysday*, might give ground of scrupling to Conscientious Persons: Yet I suppose, it is well enough known, that this denomination was not the effect of true Devotion, nor yet of Superstition; the day being observed, rather in honour of *Bacchar*, than of the true and living God; and that the Principal thing intended, was, a Solemn, Universal and Anniversary Condemnation of the work of Reformation, which was so fully signified in the very narrative of the Act, that I wonder these Brethren did not give this, as the ground of their non-observing of that day. I shall not think, that they thought themselves free to abstract from that Narrative; and not once to notice it; being they could not abstract simple preaching on that day, from its due observation; and being every one knowes, that every observation of a day holy, or civil, appointed by Men, doth homologat the Grounds & Reasons of the Institution.

But passing this, which is not of moment, as to our present business, he tells us, that there were foure of the Brethren called in together, upon particular summons, for baptizing of Children of other Congregations: To which among other legal defences (whereof he can give no particular account) they gave this answer; that these Acts, relating to that matter, were never intimated unto them. Upon which they were told by my L. Chanc. they should get them; and so all were commanded to appear againe the following Tuesday. As to this, we may see, that the Council did suppose those Acts to have been made known unto them: And that, so far as the Council did know, all the rest, save these foure, had observed the Injunctions, or otherwise they had been challenged upon the violation of them, as well as these foure. As to this answer, given by those foure; I suppose, the rest will willingly acknowledge, that it was not sufficient; and that another answer had been both more pertinent, and less introductive of new troubles; for probably, if this answer had not been given, they had not gotte such a respite from my L. Chanc. Had they ingeniously said, that their commission bare

bare them to Baptize, as well as to Preach; and that they might not be answerable to their Master, to refuse to Baptize any Childe within the Covenant, brought unto them for that end, much trouble and temptation had been, in all appearance, prevented. And though I will not condemne all legal defences; yet I must say, that Christian prudence might soon have taught them to have waived this defence, not only because it was obvious enough what would follow: but mainly because it contained a tacite acknowledgment, that they would not have done what they did, if the Act had been intimat to them; and that in time coming they would willingly obey the same; and consequently, that the Injunctions were just and righteous, and such as neither they, nor any other should disobey, whether because of the matter, or because of the power enjoining them: But more of this purpose afterward.

He gives us next an account of what they did in the Interval, and how they did meet almost every day, to consult what they should do, at their next appearance, in case these Acts (called, saith he, Rules) should be intimate unto them: And how a Paper was produced by some, appointed thereunto, which was only relative to these Instructions or Rules, with a touch of the reasons of their not-observing of the 29. of May, to which (saith he) afterwards was prefixed a pretty large Introduction, concerning Christ's power, in and over his Church; and asserting the Magistrat's just right about Ecclesiastick affairs, as amply as any thing *Mr. Huchefson* spoke; and denying him no more, when it was finished, than he denied unto him. Concerning this Paper, I can say nothing, having never seen it; only I finde, it contained (as himself tells us, in the following words) this clause: *That we could not receive from the Magistrate any Instructions, to regulate us in the exercise of our Ministrie:* And I finde by his own relation; that three or foure dayes they debated upon this clause, which he calleth, *Unqualified:* And that many of the Brethren were against it, as an Assertion, which being so generally and indistinctly expressed, would not hold water, nor be found agreeable with the Word of God, or Concessions even of our Orthodox Anti-Eraſtian Divines, concerning the Magistrates just right.

As to this Assertion, which, as he saith, was not satisfying to some; though I do not know, what particularly was objected against it by these some; yet I may take liberty to say, that it appeareth not to me contrary either to the Word of God, or to the Concessions of Orthodox Anti-Eraſtian Divines, if it be understood, either as relative to the case than in hand (as it behooved to be, if pertinently adduced,) or according to the true and native import of the words, wherein it is expressed: and that because.

1. Nothing occurreth to me, in Scripture; whence it can with any shew of probability be inferred, that this Assertion is not consonant to Scripture, except what is recorded of *David's* giving Instructions to the Levites, Porters and Singers, and Marthalling them in their several Orders and Work. But sure I am, all Anti-Eraſtian Divines look upon that practice, as no precedent to Christian Magistrates now, as is well known: And their ground is clear and irrefragable; for *David* did what was done herein, not as King, by any proper Magistratcal power, as is clear from what he said himself, when he was delivering all these Orders and Instructions, mentioned 1 Chron. 23. and 24. and 25. and 26. over unto *Salomon* Chap. 28. vers. 9. 10. 11. 12. 13. he tells him vers. 19. *That the Lord made him understand all this, in writing by his hand upon him:* And accordingly we finde *Salomon*

men doing nothing in this matter by his own proper Magiftratal power; 2 Chron. 8:10. 14. But according to the order of David his Father. And moreover, when King Hezekiah is about this work, reforming what was amiffe, he doth nothing of this kind, *Jure Regio*, by his Magiftratal power; but according to the commandment of David, and of Gad the Kings Seer; and Nathan the Prophet, 2 Chron. 29: v. 25. and it is added; for it was the commandment of the Lord, by his Prophets. In like manner King Josiah, when he is ordering Church-affairs, and reforming abuses, assumed nothing to himself of this Nature, as King, but appointed all to be according to the writing of David King of Israel, and according to the writing of Salomon his Son, 2 Chron. 35:4.

2. Nor can I call to mind what that Concession is of our Anti-Erastian Divines, that can seem to controule this, (1.) It cannot be that Concession, That Magistrates may and should put Ministers to their Duty, in following the Rules and Injunctions, prescribed by Christ, viz. in their Political Way, and by their Political Penalties. For hence it will no way follow, that Ministers receive Instructions from Magistrates, to regulate them in the exercise of their Ministrie; more than it can be said, that Magistrates receive their Instructions, for regulating them in the exercise of their Civil Function, from Ministers; because Ministers, in their Ministerial Way, put Magistrates to their Duty, in following the Rules prescribed by God in his Word. (2.) Nor can it be that Concession, That Magistrates may, by their Political and Civil Sanction, confirme and enforce civilly Canons and Rules, Ministerially cleared and concluded by Church-Judicatories: For that is but to presse the Rules of Gods Word to be observed, and is no prescribing of Injunctions; but an enjoining civilly the Observation of Injunctions, imposed and proposed Ministerially by Church-Judicatories. (3.) Nor can it be that Concession, That the Magistrate is *Custos utriusque tabulae*, for the Reasons already given; The Minister also may be said, to be *Custos utriusque tabulae*, in his way and manner; and yet none will hence inferre, that he may give Instructions unto Magistrates, to regulate them in the exercise of their Office. (4.) Nor can it be that Concession, That the Magistrate is *Episcopus rei iſtae*, an overseer of things without; for these external things are properly and formally political things, belonging to the Civil Government of the outward man; among which the function of the Ministrie, as such, cannot be reckoned; this being purely Ecclesiastick, and properly belonging to the Spiritual Kingdome of Christ. (5.) Nor can it be that Concession, That the Magistrate may limite and confine the Person of a Minister, whereby, *per accidens*, there is a confinement laid upon the further extension of the exercise of his Ministrie: for every body seeth, that this is properly a confinement of the Person, and but consequently of the exercise of the Ministrie; and no man will say, that is Orthodox, that the Magistrate hath the same Power over the Office of the Ministrie, that he hath over the Person of the Minister.

3. Some such thing may, I grant, be gathered, with some probability, from that Assertion of Vedelius, viz. That Magistrates have an Inspection of the Office of Ministers, as he urgeth it. But he is no Anti-Erastian, but an Erastian Divine: And I suppose no such thing will follow from this Assertion, or the like, as qualified or explained by our Orthodox Divines, who have written against Vedelius, such as Apollonius, Triglandius and Revius: Beside what Waleus and Voetius have spoken hereunto.

4. I conceive that Assertion was very orthodox and safe; for these Reasons:

(1.) This

(1.) This Power of giving Instructions, for regulating the exercise of the Ministry, would inferre or presuppose, that the Office of the Ministry, and its exercise are subordinat to the Magistrat *in linea recta*: For Instructions and Orders or Rules coming from a Superiour (for from such they must come, and not from an Inferiour, nor yet from a Co-ordinat Power) to an Inferiour, say, that the Superiour hath Power to grant a Commission to that Inferiour, be it Court or Person, to Act in that function and sphere; and a Power to Limite, Restrict, Enlarge or Qualifie the exercise of that function, as he seeth good: But none of our Orthodox Anti-Erastian Divines grant a Subordination, but assert a Collaterality. (2.) No Orthodox Anti-Erastian Divine will say, that Ministers, as such, are so subordinant unto the Supreme Magistrat, as other inferiour Magistrates are. But if the Supreme Magistrat might give Instructions to Ministers, and prescribe Rules to regulate them in the exercise of their Ministry; what difference shall there be, as to this, betwixt Ministers, as such, and inferiour Magistrates? Can the Supreme Magistrat do more, as to the regulating of the Magistratical function, in inferiour Magistrates, than Limite them, Restrict them, Qualifie them by such and such Instructions? and what less shall now hereby be granted to him, in reference to Ministers, as such?

3. But now if we speak of Injunctions and Instructions, in particular, the matter will be yet more clear, that that Assertion was truth, and nothing but truth: For either the Instructions are concerning such things, as are at all times necessary to the right exercise of the Ministry; or concerning alterable circumstances, which only *hic & nunc* can be called necessary: If the former be said, it must be granted, that these are set down to us in the Word; for all necessities are there contained; and if so, the Magistrat either enjoineth these *Ministerially*, as holding forth the mind of God; but this cannot be said, for then were he no Magistrat, in that, but a Church-Officer and a Minister: or *Magistratically* and *Autocratorically*, as a Civil Magistrat. And then this must either be, in *Ecclesia reformata & bene instituta*; that is, in a well reformed and instituted Church; or in *Ecclesia reformanda & confusa*; that is, in a Church wholly confused & needing reformation; In the former case, Orthodox Anti-Erastian Divines will say, there ought to be an antecedaneous judgement of the Church, or of Ministers, who are the only authoritative and authorized Ministerial Interpreters of the Word: And then the Magistrat doth not give the Instructions, but by his Civil Sanction politically inforceth the observation of Gods Instructions, authoritatively and ministerially held forth by the authorized ministerial Interpreters. The latter case is not our case, unless by this Concession we would grant Power and Liberty to any Magistrat, to overturn the best reformed Church that is; to the end he may order all things in it, as he pleaseth; which was never understood by the Users of this Distinction. If the Instructions respect only the alterable *Peristatice*; Either Christ hath given Power to his Church, in these cases, to judge, according to the General Rules of the Word; or not. Nor reformed Orthodox Anti-Erastian Divine will say *nor*, and if the former be said (as it must be said) Then *quo jure*? By what Law can the Church be robbed of this Power? And by what right can the judgement of this matter be committed, in *prima instantia*, at the very first, unto the Magistrat; or rather wholly and solely unto him? For thus the Ministers are altogether excluded, when it is said, that the Magistrat can give In-

structions

Instructions in these matters: For the granting of this power unto the Magistrate, will necessarily bring the examination and judgment of Ministers, as to the Acts of the exercise of their function, into the Civil Court, either wholly, or in the first place at least, contrary to the Orthodox Anti-Erastian Doctrine.

I think then, that all, who minded honest and plaine dealing, in this day of tryal, and of witnessing to the truth; and to that truth, that so neerly concerned Christ, as King and Head of the Church, should have consented unto this Assertion, and in plaine termes have told the Councel. *That they were so receive no Instructions from the Magistrate to regular them in the exercise of their Ministrie.* He tells us next, that *Some supposed this question was determined, in the Concessions, that were in the introductory part of the paper wherein the Magistrate's power objectively Ecclesiastical is asserted.* But if all those concessions, set down in the Introductory part of the Paper, issued in the clearing of the Magistrate's power to be objectively Ecclesiastical, they expressed nothing to weaken the fore-mentioned Clause: For, who will say, that because the Magistrate's power is objectively Ecclesiastical: Therefore he can give Instructions to regular Ministers, in the exercise of their Ministrie? It were as good a consequence to say, The Magistrate is keeper of both the Table of the Law. Ergo he may set down Instructions, Limitations and Rules, shewing when the Law of God shall oblige as the Law of God, and when not. And to say, Because he hath the Scriptures for the object of his care: Therefore he may set down Rules how this or that Prophecie, this or that doctrinal Book, or History should be understood and Interpreted. So to say, Because his care reacheth to Doctrine, and he must countenance the preaching of Truth, and discountenance the preaching of Error. Ergo he may appointe Ministers what to preach, and what not; and command them to preach of the Seven deadly finnes, and not of Predestination, as the King laid in his Letter to the Archbishop of York. And because his power objectively reacheth to the Worship of God: therefore he may do as *Jerusalem* did. So because Discipline and Government are also the object of his care, therefore he may give Rules and Instructions, how the Church shall be governed; that is to say, whether by a Pope, or by Prelates, or by the People, or by Himself and his Undermagistrates. Yea and from this power objectively Ecclesiastical, it may as well be Inferred, that he may regular Controversies and other debates, handled in Church Assemblies, and prescribe what Arguments *pro* and what Arguments *contra* shall be used, what sins shall be so and so Censured, &c. Yea, in a word, we may as well inferre from this objectively Ecclesiastical power, all that is summarily contained, in the Explicatory Act of Supremacy: As that he may give Instructions, to regular Ministers, in the exercise of their Ministrie.

How did this debate issue? He saith, in end, some made a motion, which, with common consens, so far as could be discerned, was embraced: And what was this? That the Assertion should be thus qualified, *That we would not receive from the Magistrate Instructions, Formally and Intrinsically Ecclesiastical, to regular us, &c.* Which, in my judgement, was either nothing to the purpose; or (which is worse) was a betraying of the Cause: For either this was understood, in reference to these Rules, which the Councel prescribed in their Act Sep. 2. 1672. or not. If not, what was it to the purpose then in hand? If it was understood with this reference, then either hereby they meant to justify and defend their refusing to accept of these

of these Instructions; or to justify their accepting of them, but not of others. If the *former* be said, Then (1.) Why was Mr Blair so much condemned, who did but refuse the accepting of these, that had been expressed in the Act, and were then exhibited? (2.) Why was it not plainly affirmed, that they would not receive these, that the Council tendered unto them? (3.) Why was there so much debate in private, about a general *Thesis*, when the clear assertion of the *Hypothesis*, would have saved both *Credite* and *Conscience*? If the Assertion was thus qualified, to justify their accepting of these Rules, then sure, the cause was betrayed: And if they were clear to accept of these Rules, what necessity was there for this general blinde? If they intended it for a Testimony, was that a fit season for a Testimonie, when they were resolved to yeeld to all, that was at that time desired, without hinc or scruple? Further, I suppose it will be found, that some of these Instructions were indeed formally and intrinsically Ecclesiastical. And if these were excepted, they should have been particularly mentioned, that all might have been clear; for in Testimonies we cannot be plaine and clear enough. If they were not clear to embrace these Instructions; why did they not unanimously agree to tell this in plaine termes? And if reasons of their refusal had been demanded, ingenuity and plain, dealing had furnished them with reasons sufficient, taken both from the matter of the Rules, the manner of enjoining them, and from the sad consequences of obeying them, beside several other circumstances, not to be despised.

When all agreed unto the Assertion thus qualified, and so to the whole Paper that was drawn up, he tells us, there fell out another question, whether that Paper should be made use of, as a Directory, when they should be called to speak, before the Council, or if it should be subscribed by all, and so given in as their answer, and sense of these Matters? This was, no doubt, a weighty debate, and such as might have occasioned their breach among themselves: But when the Lord is away, what Light or Counsel can remaine? Well, what came of this question? The generality (he saith) were indeed for the subscribing of it. Which I confess I would not have been for; Nor yet for using of it as a Directory; for reasons already given. But now the generality being for the subscribing of it, what became of it? Was it subscribed indeed? No, saith he; and thus the Minor part prevailed. But he saith, there were Reasons moving hereunto. And I shall be glade to hear these. The first is, *One, who was then withdrawn about some necessary affairs, had declared before, upon reasons ponderous to him, that he was not free in his mind to subscribe any such Paper, at that time.* It seemeth strange to me, that the unclearness of one should have proven such an effectual meane to stop the rest, in that, whereabout they had no scruple; especially when that one did not shew, what his ponderous reasons were. I humbly judge; the Zeal of God would have determined them another way. But there was good cause for this; for saith he, *They judged it not safe, but prejudicial to the cause, and to unity to break bulk, and Act in a divided way, when all were ready to concur in the matter, though they differed in the forme and manner: And how inconvenient was it, saith he, that differences about the manner should be seen in publick, when they were one upon the matter?* But what prejudice had come to the cause, if a Testimonie had been given in to the Council, unto which all had assented, though it had wanted the subscription of one, who was necessarily absent, when it was subscribed? Yea, though it had wanted the subscription of one, who was unwilling to subscribe? In so doing they did not

break bulk; but that one, if ever he had been within the hold, had made the breach, by abandoning his Brethren. Unity and Harmonie is good, I grant; but I know not, why every man should have a negative voice, in all such matters; and why nothing should be done by a Company or Society, if but one man dissent. I know no Divine rule for this; nor will Christian prudence teach it: and I am sure, it is one to an hundreded, if ever any thing be done of moment, or hazard, by a company, on these termes. And I much doubt, if, when one onely Person, yea or two are refractory, all the rest of that Society should think themselves exoner'd in Conscience, to forbear a duty, clearly called for. The forme and manner here was (I judge) a material thing; and who were not clear, as to it, could not be very clear as to the matter.

There was another reason of this forbearance, *Had they (saith he 2.) been free to subscribe Papers, at that time; yet they could not look on that Paper, as it was hastily and crudely patched up, as befitting so many Ministers of the Gospel, to give in to the State; as their mature and formed thoughts. In this I grant, it is good, that no man should subscribe a Paper, with which he is not satisfied; and I think, it is exception relevant enough against the subscribing of a Paper, called or looking like a Testimony, when it is not plaine nor full enough, even though what is said be otherwise not reproachable. But as to this Paper, I think, this reason of his very strange; when he told us before, that the generality was for subscribing of it, as it was rude, hasty and raw. Whence came this change? Second thoughts, it seemeth, have taken place. But in soberness, I cannot but think strange, that so many able Ministers of the Gospel could not, after so many dayes debate, give their formed and mature thoughts of a Business, in which every Minister of the Gospel, and Servant of Christ was obliged to be ready alwayes to give, upon less, than a few houres warning, yea at the first demand, an account of his Faith; especially in this Controversie, wherein all were called to be most clear; and they especially, who could not but know, that their silence, as to bearing Testimonie to the Truth, at their first receiving the *Indulgence*, had given such offence: for my part, though I cannot judge of the Paper, having never seen it, and though I see not, how all he saith of it can prove it raw and indigested, considering the account he gave of it before: Yet because of that one clause, he tells me was in it, and univversally assented unto, I am as glade it was not subscribed and given-in, as he was; and upon that account do judge, it was unfit to be a standing thing (as he speaketh) for friends and foes, at home and abroad; to descant upon. Onely I wonder how this Consideration could prevail with them, rather to commit the expressing of the matter unto their chosen Mouth; seeing words spoken are more liable to Mis-contructions, and Mis-representations, and other Mistakes; than words set down in write; and it was one to an hundreded if that one Brother, their Mouth, should so happily, in a set discourse, hit upon the very expressions, that were onely accomodat to declare all their mindes; or if that Brother could have expressed the matter, in more lively, masculine, digested and significant Expressions, why might he not have been at so much paines, as to have set these down in write, and then the Paper, being no more raw and indigested, might have been subscribed and given in? But the plaine Truth is, *littera scripta manet*: And it was to be feared, that a written Paper would have provoked the Councel, more than a transient and volant Expression, in a running discourse*

discourse, buried under an heap of words, and so not fully understood, could have done. *Finally*, I would tell him, That an honest, well meaning, and plaine Testimonie, though not set off with the paint of Words, and Expressions, having all their amiable cadencies and flowrs of Rhetorick, would go far with honest well meaning Friends, both at home and abroad, and have been very acceptable; yea and more convincing unto Enemies, whether at home or abroad, whole angrie descanting upon it would have been a further Confirmation of its honesty and validity.

There is yet a *Third Reason* given, which is something long. *There being* (saith he) *such a clashing among Ministers and People, some being for an utter refusal of any benefice of the late liberty; and others being free to make use of it, having given a Testimonie in their Station; and that Paper relating only to these Instructions, and not to the whole cause, they could not but foresee, that the giving-in of that Paper would have been looked upon, as a Testimonie; and therefore being so defective, relating only to these Instructions, and not speaking to other cases, it would raise greater debates, and heighten differences; and this they were confirmed in, when a Brother, coming-in among them, told them expressly, their Testimonie (as it was called) was defective, and would do more hurt, than good, except it were fuller: yea certified we were upon good grounds, that if that Paper had been given-in, more tongues and pens would have been awaked, and set on work against it, than now are against the forbearing of it. in which case, albeis I could heartily have wished a full, free, general, unanimous Testimonie were given-in; yet I cannot see, how their prudence can be blamed for forbearing that, which would certainly have ministered fuel to the fire, which is like (if mercy prevent it no) to consume this poor Church, and may perhaps burn their fingers, who are so eager to kindle and blow at it. Not to insist here on enquiring who were those, who were free to make use of that, (which he calleth Liberty) having given a Testimonie? And what was that Testimony, and when and in what Station, was it given by such, as were free to make use of it? Nor on showing how Improbable it was, that such as could not agree on a Paper, relating only to these Instructions, could agree to a more full Paper: I would only say (1.) Matters being so, as he here saith, could they not also foresee, that the Words, uttered by their Mouth, following this Directory, would be also looked upon, as a Testimonie; and that that Testimonie, relating only to the Instructions, would have been judged defective; and so occasion new Differences? (2.) If the Paper was defective (as very like it was) why was it not helped? Why was the matter made worse, by giving-in no Paper at all, but committing the matter to the uncertain Expressions of one of their number? Could this more prevent the trouble of Tongues and Pens both? (3.) If he commend their Prudence for not ministering Fuel to the fire, he cannot approve them, for casting in Oyle; for certainly the Course which they took, did contribute more to the burning fire, than that course could have done, which they did forbear. (4.) Woe to them, that first kindled that fire, which is like to consume that poor Church; and to them also, who Administer fuel thereunto; but let some labour, as they will, to free themselves of this, It shall, I fear, lye at their doors.*

But now, when all thoughts of subscribing that Paper were laid aside, what course was taken? *It was resolved* (saith he) *that one should be mouth to the rest, to speak their sense of these Impositions, in case they were to be intimate to them: And that this one was Mr. H. and that he was to hold him to the matter, agreed-on in the Paper. Though I could ra-*

ther have been satisfied, that a full and faithfull Paper, subscribed by all, had been given in, than that this course had been taken; yet, to wave reports of some circumstances, that then went abroad, I think it was requisite, that they had particularly condescended upon the fit season, when their Mouth should have uttered their mind; and I cannot be of this Authors mind, who thinketh, that he was not bound to speak in that affaire, until he was called upon by the Council; which might have been, for any thing I know, after all and every one of them had been put to speak their own mind, in particular, or say nothing, which the Council could not but take for a compliance. Yet he giveth this reason: *That the time not being determined by his Brethren, he was to be ruled by Prudence, which dictated his own being called-upon (whensoever it might be) to be Gods opportunity season and call, to speak what he had to say: The thing also is self, and the usual practice in like cases saith, it was the most fit time to speak to the cause, when all had been gone thorow, and then when he had spoken his light in the matter, the Brethren (as he willed them to do, when they named him) might adde, diminish, or alter as they thought fit.* This is a wonderful thing, that one should be appointed to speak the sense of the rest of certain Impositions, or Injunctions, in case they were intimate; &c yet that prudence should not teach him to speak, when the Intimation was first made: Was not his speech to be in reference to these Impositions? Was not his speech to be (at least) a virtual Protestation, Apologie or Insinuation of Reasons, why they could not in conscience accept of these Impositions? or an Explication and declaration of the sense, in which they were clear to accept of them? And if so, doth not Nature & Common sense teach, that the onely season for this had been, when the first offer of these Injunctions was made; and that it was a manifest losing of the opportunity, to delay, till after the Instructions had been tendered, & accepted by severals of the Brethren? did not the accepting of the Paper, containing these Instructions, virtually (at least) if not formally say, that they submitted therunto, and were satisfied therewith? And then, what could their giving of a sense afterward import? Neither the thing it self (as every one knoweth) nor any (let be the usual) practice, in such like cases, saith, that it was the fittest time to speak, when all had been gone thorow. Had he been only to speak his own judgement, in the matter, he might have forbore, until the offer had come to his own door; but being appointed mouth to the rest, and to speak the sense of all the rest, when these Impositions were offered, his delaying until some, yea till many, had received the Impositions and Rules in write, was really a crushing of what Testimony was intended by his speaking in their names: And what could the Council judge otherwayes, than that the mouth, that spoke, was not their publick mouth, having been so long silent; but his own, speaking only when it came to his own turne? And if what that mouth spoke had been dissatisfying to the Council, and contradictory to their sense and meaning, might they not have judged the silence of such as went before, and had received the Injunctions, a plaine homologating with their Meaning and Intention? &c that their Mouth's speaking had discovered them not to be all of one minde?

This is concerning what passed among these Brethren, in private, before they appeared, according to the order of the Council. We would know, what was their deportment, when they appeared: And our Informer tels us, that when they appeared, the sentence of the Council for not-preaching May 29. was read unto them.

them. After which, we are told, that Mr H. addressing his speech to my L. Chancel. did declare, *That his Brethren and he did very cheerfully submit to any outward prejudice they might sustaine, in following their light, yet humbly desiring that the true state in their case might be remembered by their LL. And that they were brought under that sentence, not upon account of any disloyalty to Authority; but upon a scruple of conscience, concerning that particular way of expressing it. Of which I shall not now speak (having spoken to this matter before) and it doth not concerne our present business: only it is obvious, that more, yea much more, might and should have been said.*

It is more to our present purpose, to notice what was further said. *With all (saith he) not knowing, whether these Instructions were to be presented, but rather to obviat them, Mr H. added another desire, That their LL. would be pleased not to burthen them with Impositions, in the matter of their Ministrie, wherein they were the Servants of Christ, and they being men, who demeaned themselves as became loyal Subjects. Here is my former remark confirmed; for prudence taught, we see, this their Mouth, to speak something to the matter, even though as yet the Impositions were not presented, and offered to them. Moreover, this desire doth import, either that he and the rest were unclear to submit unto Impositions, in the matter of their Ministrie; because of their being the Servants of Christ; or that, though they looked on these Impositions as burthens, and so wished to be free of the yoke; yet being imposed they would submit unto them, as to an outward prejudice, which they behoooved to sustaine; as he spoke before in reference to the sentence, read against them. If this later was his meaning, it is past doubt, that the Cause was betrayed, and his mouth stopped from giving that Declaration or Testimonie, in all their names, which he was ordered by them to give. If the former was his meaning, as I am apt to think; why were the Brethren so offended with what Mr Blair said hereafter? (as we shall hear they were) was it because Mr Blair's words were too too plaine and distinct? Sure, Christianity will tell us, that Testimonies cannot be plaine enough.*

Upon this he tells us, *they were (as they thought) dismissed. But the L. Chancel. forthwith called them againe; as they were turning their faces towards the doore, and told them, that seeing some of their number had said, these Papers viz. the Papers containing the Instructions) were not given them, the Clerck was to give every one of them a Copie, which accordingly he went about to do. May not every body now think strange, that prudence did not now teach their mouth, to express what he had to utter in their names, when all of them were thus spoken to in Common, and particular mention was made of that Paper of Instructions, which before, when no mention was made thereof, he laboured to obviat & prevent the giving of?*

When their faces are now againe turned towards the Councel, the Clerck went about to deliver each the paper of Instructions, and we are told that they had been delivered to the one halfe or more of the Brethren, even to all cited out of *Clidale, Renfrow*, and some of *Kyll* before they came to Mr A. Blair: And our Informer tells us, he beleeveth there were few or none of these behind, that resolved to speak any thing till Mr H. who was not called upon yet, should beginne. (as they had agreed upon, Mr A. Blair consenting thereto, as well as the rest) if Mr Blair's speaking had not drawn some of them, who had been spoken to before, and others, as they were called thereto thereafter, to speake somewhat: But all stood

still in one body, waiting till it should come to Mr H. who was to be their common Mouth, to speak their mind, and they to homologat, adde, or alter, as they should think fit. This is our Informers relation of the business, and I shall not question the truth thereof, but come and see what he saith of Mr A. Blair and his discourse, which (as would seem) broke the intended method and order.

As for his Reverend Brother Mr A. Blair's speaking, he saith, as I hope in Charitie, his motive was zeal and forwardness; so I wish heartily it had been for better till this season; for hinc illæ Lachrimæ; and he rather I wish he had not first filled the field; because that lax assertion (of which before) of receiving no Instructions from the Magistrate &c. (albeit it had been limited and qualified by Common consent; Yes) he I know not how repeated it to the Chancellour, in terminis, telling, That he would not receive Instructions from them, for regulating him, in the exercise of his Ministry; and added this reason, That if he did so, he should not be Christs Ambassadors, but theirs. To which I shall only desire to say. That I am of the minde, that as true Zeal and Conscience of duty moved M. A. Blair, to say what he said; so the same should have moved all of them, to have said the like, or more. And I cannot but think strange, that this Informer thinketh it was not seasonable for Mr Blair to speak, when the trial came to his own door; and that notwithstanding their Common mouth had been so long silent, and neglected his opportunity: Our Informer told us lately, that it was seasonable for Mr H. to speak, when it came to his turne: and was it not as seasonable for M. B. to speak, when it came to his turne? As for his calling Mr Blairs Assertion, lax; I shall passe it, having sufficiently shown above, how consonant it was to truth, and how groundless all the exceptions were, that were taken at it, so far as I could conjecture. And I wish himself had hinted (at least) some one ground or other, whereupon he judged it lax. And what difference, I pray, was there upon the matter, betwixt Mr H's requesting, that they might not be burthened with impositions in the matter of their Ministry. And Mr B's saying, that he would not receive Instructions from them, for regulating him in the exercise of his Ministry. Mr H's expressions wanted the limitation, that they had all agreed upon, to wit, formally and intrinsically Ecclesiastical, as well as Mr B's; and no man will say, that the word, Impositions, do more import Instructions formally and intrinsically Ecclesiastical, than the word, Instructions: Nor is there any such difference betwixt these words, in the exercise of the Ministry, which were Mr B's words; and these words, in the matter of the Ministry, which were Mr H's words, as to make the one discourse Lax, and the other accurate. Nay, I am ready to say, that Mr B's Assertion was both more congruous to the truth and to good sense, than the words of the other. And finally, This Informer is not well satisfied with the Reason, which Mr B. added; and yet the same was insinuat, in Mr H's discourse, in these words, *wherein they were the servants of Christ*; for these words did either containe a reason, why their L.L. should not burden them with Impositions; or they sounded forth nothing but non-sense; as every understanding Reader will see.

Yet this reason is made the ground of a great out-cry; for he addeth, *which reason, if it do not als strongly militate against Ministers receiving of Instructions and Rules (for the prescriptions in that Paper go by these names) from Church-judicatories: as well, as from the Civil, and stricke equally at the Diabolick power of both, I leave to you to judge*; And then to make

make all strong, the matter is cast into a Syllogisme, but with this mishap, that it is made up of four terms, contrary to the law of Syllogismes. But this is but trivial. It is more to the purpose to say, that this same absurdity will follow upon what *Mr. H.* spoke, (unless he pleaseth rather to let it passe under the notion of Non-sence) and therefore what ever way he shall think to save *Mr. H.*'s credite, we shall by the same way save *Mr. B.*'s. Though this might satisfie: Yet I shall tell him, that it is far worse for him, by his discourse here, to grant unto the Civil Magistrate a Diatactick power, in matters ecclesiastical, in such an illimited and unqualified manner, as he doth, when he talks of the Diatactick power of both: for this is a manifest homologating the Supremacy, as lately explained by the Parlia. But for vindication of *Mr. B.* he would know, that he was speaking only of Instructions coming from Magistrates, acting by their Magistratical and Architectonick power; and not of all Instructions coming from any whatsoever beside Christ; and his reason was against the receiving of Instructions from Magistrates, as such, to regulat him, in the exercise of his Ministerie; and did not militate against receiving of Instructions from Church judicatories. For clearing of this, and for his instruction, I shall tell him, *first*. What Instructions Ministers or Church-judicatories give, they give them by a Ministerial Power, explaining, applying and authoritatively declaring, what are the Impositions, Rules, and Instructions of Christ; so that they are but as Heralds and Messengers, Proclaiming and declaring, with a Ministerial Authority, the mind of Christ: and therefore the receiving of such is but the receiving of the Instructions and Impositions of Christ, sent and delivered by Christ mediately by such, as stand in a right line of subordination to Him, as sole Head and King of his Mediatory Kingdom, and act onely as in that relation and subordination. But on the other hand, as Magistrates, as such, are not Ministers of Christ, as Head of his Mediatory Kingdom; so nor do they act, in giving out Lawes and Instructions, as Christs Heralds and Ministers, ministerially explaining and applying the Rules and Instructions of Christ: Nor do they press these Instructions, as Christs Instructions, nor in his Name and Authority; but as in all other things, so here, they act with an Autocratorical and Architectonick power: So that, when they give Instructions to Ministers, to regulate them in the exercise of their Ministerie, they do it by their Magistratical and Architectonick power, by which they do all other Magistratical Acts. Hence is it, that such as receive Instructions, to regulate them in the exercise of their Ministerie, from Magistrates, do acknowledge this Magisterial and Architectonick power in Church-matters, to be competent to the Magistrate, as such; and themselves to be formal Ambassadors and Servants of the Magistrate: for, who receive Instructions from one, acting Magisterially and Architectonically, in Church-matters, do owne themselves as his Servants: which cannot be said of such, as receive Instructions from Church-judicatories, which act but ministerially; and thereby formally declare, that the Architectonick and Autocratorical power, over Church-matters, agreeth alone to Christ, whose servants they declare themselves to be, in that very act of holding forth these Instructions, as the Instructions of Christ, and that in His name. This is one maine difference. Hence *Secondly*, Ministers receiving Instructions, for regulating them in the exercise of their Ministerie, from Magistrates, acting like themselves, Magisterially and Architectonically, do (if not formally, yet at least) virtually deny Christ to be the only Head and Lawgiver of his Church Acting and Ruling with a supreme power: for this Architectonick and Supreme power, in the Church, is competent to Christ only; and he hath substituted none, as his Vicar-general, neither Prince,

Prince; nor Prelat, Pope nor other: As were easie to evince, if needful; And so there is but one Architectonick Supream Magisterial Power in the Church; and if this be attributed to the Magistrate, Christ is put from his Right: And so such Ministers, as by receiving Instructions from Magistrates, to regulate them in the exercise of their Ministrie, do attribute this Power to the Magistrate, must of necessity take and have their Commission from Magistrates, and become their Ambassadors, and not Christs; because by this deed, as they spoile Christ of his Prerogative and Crown, attributing that unto Magistrates, which is proper to Him; so they acknowledge their Dependance on; and Subordination to Magistrates, and not upon and to Christ. But nothing of this kind can follow upon receiving of Instructions from Church-Judicatories, acting as Christs Servants; and, in the very way and manner of their Acting, declaring Christ to be the Sole Head and Supream Governour of his Church: For, as the Church-Judicatories act but Ministerially, to the receiver of Instructions from them, can owne no other Power in them; because they receive these Instructions from them, as authorized of Christ, with power Ministerially to declare his mind and will. And this is a *Second* Difference, which leadeth me to a *Third*, which is this, Christ hath never appointed Magistrates, as such, to Act under him, after such a manner, in the regulation of his Church and Mediatory Kingdom; as he hath appointed Ministers and Church-Judicatories. Now, to receive Instructions from an Usurper, is to acknowledge the power of the Usurper, & a dependance upon him, as his Servant: And therefore, as a King will not owne that man, as his Ambassadors, who taketh his Instructions from an Usurper: So nor can that Man formally look upon himself, as the Kings Ambassadors; but as the Ambassadors of that Usurper. But when one taketh Instructions from the Council, acting in subordination to the King, and clearing his mind by vertue of his Commission, empowering them thereunto, he is truly the Kings Ambassadors, though the Council did immediatly give him his Instructions: So a Minister, receiving his Instructions immediatly from Church-Judicatories, is nevertheless the Ambassadors of Christ; for the Church-Judicatory acteth in subordination to Christ, and only cleareth up his mind; by vertue of his Commission, empowering them thereunto. Thus I have manifested the Invalidity of this Informers Argument; and withal shown that Mr. B. had good ground to say what he said, and to reject these Instructions, upon that very ground, that if he had accepted of them, he should have acknowledged himself not Christs, but their Ambassadors; and withal have shown, that the Indulged Ministers, in receiving these Instructions, have declared themselves not to be the Servants & Ambassadors of Christ, but of the Magistrates; & therefore can be owned as no other.

Our informer tels us, in the next place, That there were some speeches, betwixt My L. Chanc. and Mr R. and that Mr B. did not deny that the Council might confine him, when the Chanc. asked that at him. And this being one of the Rulers, our Informer supposeth, that hereby he overturned his own universal negative. Wherein he is no less mistaken, than he was in his last reasoning; for though it be true, that the Council did confine them to these places, (which, among other things, as then circumstantiat, might have moved them to have refused that *Indulgence*, they being thereby declared no more free Subjects, and unworthie of the Common Privilege of all Free Subjects; and so actually under the Scandal of Disloyal and Censured Persons

Persons, which, as it was a Reproach to the Ministry, so it could not but expose them to Contempt, and make their Office vile, in the eyes of the World, and their pains fruitless, when their Ministry was made contemptible: And if there was some further Designe in this obvious, it was so much the more worthe of their Consideration.) Yet it is as true, that this Confinement was properly and directly of their Persons; and cannot, in any propriety of speech, be called a regulating of them in the exercise of the Ministry. The Ministers Body and his Ministry is not one and the same thing. It is true, by confining of the Minister to such a particular place, the exercise of the Ministry is consequently confined: But hence it will no more follow, that the Magistrate may give Injunctions, to regulate Ministers in the exercise of their Ministry; than it will follow, that he may depose a Minister from his Ministry, because, when he condemneth him to death, and accordingly causeth the Sentence to be execute, or keepeth him in closs and perpetual prison, he doth consequently put him from the exercise of his Ministry. Yet he cannot but know, that this Consequence is naught; and that a Physical restraint and a Moral Restraint or Limitation much differ.

When Mr B. upon this honest Testimonie and Declaration, was committed to a Macer to be carried to prison, the Informer tells us, *That the Brethren, being surprized, with his speaking unexpectedly (besides the Common agreement) and with the Assertion that dropped from him and affected with the Apprehension of the Issue, began to be much Afflicted in their Spirits.* But why were they not also surprized with Mr H's speaking unexpectedly, besides the Common agreement; for the Common agreement was not, that he should say any thing in reference to the Instructions, before the Council had made any motion thereabout? And why were they not also surprized with the Assertion that dropped from him, seeing, as is shown, it was the same upon the matter, with what Mr B. said, unless we think he meant it in a most corrupt sense?

After this he tells us, that upon Mr B. his commitment to the Macer, one Minister told Mr L. Chanc. that he believed diverse Ministers of that Company were, upon the matter, of Mr B's judgment, *whereof himself was one:* And another declared, *that one of these Rules did bring Ministers into direct Subjection to Prelacie, contrary to their Principles.* Whereby I see, that the Consternation and Affliction of Spirit, was not so universal, as he did just now hint: and that all were not of a Contrary judgment to Mr B. and that the agreement to the forementioned limited Clause, was not so unanimous and cordial, as he would have made us believe: But passing these smaller matters, let us bear what followed.

He addeth, *Mr H. also, though his time was not come to speak, yet stepped in with them, to see what he could do to remove mistakes.* Whereby I see, that even he was at length forced to transgress the Rules of Prudence, and to anticipate even Gods Opportunity, Season and Call (as this Informer supposeth;) and to crosse the Usual Practice in all such like cases; that is, to speak before his own turn came. I suppose, if Mr H. had spoken what he was obliged to speak, in Gods true Season and Opportunity, that is, when the first motion was made of delivering to them these Rules, he had prevented much of this mistake, and also Mr B's suffering. What were these mistakes; that Mr H. stepped now in, before the time, to remove? Were they betwixt his Brethren? Or betwixt the Council and such of his Brethren, as spoke? And what were these mistakes? Whatever and betwixt whomsoever they

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were, if he stepped-in to remove them, that which he said must be looked upon, as having a tendency to the removing of these mistakes; and therefore we must suppose, that his Discourse tended either to rectifie Mr B. and such as were of his judgment, or to rectifie the Council; that had committed Mr B. to the Macer. If the *Former*, then in his judgment, Mr B. and the rest, were not to be owned and approved in what they said, being in a mistake: If the *Latter*, his discourse should have tended to have vindicated Mr B. and to have shown the iniquity of what the Council had done; But it may be, it was of a mixed Nature, tending partly to Approve, and partly to Condemne both.

Let us heare what it was he said. Our Informer tells us, *He spoke according to the tenor of the Paper agreed upon*, to this purpose, *He humbly desired their L.L. not to misunderstand his Brother Mr A. B. for as for Rules intrinsically Ecclesiastical* (the other terme *Formally* was forgotten, through occasion of the present jumble, as our Informer supposeth) *For regulating Ministers in the exercise of their Ministrie; he hoped their L.L. Intended not to make and impose any such upon them, who were the Servants of Christ, in these matters. But for the Magistrates Power objectively Ecclesiastical, whereby they might judge of Matters of Religion, in order to their own Ab, whether they would approve or discountenance such a way, he knew no Reformed Divine, that did deny it unto them.* And judging that was his Brothers (i.e. Mr Blair's) sense, in what he spoke, did againe desire, he might not be mistaken. Now if we look on these Words, as they are here set down, we must take them either as an Apologie for, or as a Defence of Mr B. or as Explication of his Assertion; and what way soever we take them, I cannot but observe their usefulness: For when he speaks of Rules *Intrinsically* (let us add *Formally*, though that was then omitted) Ecclesiastical &c. he must mean either the Rules, which were then offered to Mr B. and the rest; or some other: If *some other*, then he could not desire their L.L. not to misunderstand Mr B. for Mr B. meant and spoke of the Rules, which were tendered unto him, and which he neither could in conscience, nor would accept of: Nor could he then be supposed to be speaking any thing in favours of Mr B. whether by way of Apologie, Defence, or Explication: If he meant the same Rules, that were then tendered, Then (1.) he must grant, that these were *Intrinsically* and *Formally* Ecclesiastical; and so such, as the Magistrate might not make, nor impose upon the Servants of Christ, and that because they were the Servants of Christ, in these matters: And so consequentially, his Words confirm Mr B's Argument, which this Informer (as we heard lately) judged most absurd. (2.) If he meant the same Rules, why was the matter expressed in such general and not obviously intelligible Termes? Every one doth not understand what the Termes *Formally* and *Intrinsically* meane, in this Business, which is about Rules, to regulate Ministers, in the Exercise of their Ministrie. And the mentioning of these Termes, *Intrinsically* and *Formally*, here, would say, that there were other Rules *Extrinsically* and *Materially* Ecclesiastick, which the Magistrates might impose, and they might receive, to regulate them in the exercise of their Ministrie: Now I would gladly know, what these are? Will the Confinement, or Imprisonment of a Ministers Person, go under that Name? Or will Rules made, concerning the length of time, which a Minister is to spend, in the exercise of this or that Act of his Ministrie, or the like, be accounted such? The *first* is wholly Political, and no more Ecclesiastical, than any other thing, which immediately concerns a Minister.

less Persons, as his Hat, Books and Cloathes, and the like. The *Later*, as they partake more of the Nature of Ecclesiastical Rules, being more formally, and more nearly related unto the exercise of the Ministrie, but yet only in so far, as they belong to publick Actions; so it is a question; if Magistrates may either solely, or in *Prima Instantia*, prescribe such Rules unto Ministers. However this being, at best, but dubious, and the other so clearly Political; and it being (to me at least) very uncertaine, what Rules these are, which may be called *Externally* and *Materially* Ecclesiastical &c. I could have wished, that some Instances hereof had been given; that so not only, it might have been known, what Rules were not Formally and Intrinsically Ecclesiastick; but also it might have been better understood, what Ecclesiastical Rules were Formally and Intrinsically such.

(2.) The other part of the discourse, concerning the Magistrats power objectively Ecclesiastical, is as useless for any thing I can perceive, either for clearing of Mr B. or of his discourse: for. (1.) There was nothing in Mr B's discourse, giving the least hint of his denying that power to the Magistrate, which all Orthodox Anti-Brafrican Divines grant; For the denying to the Magistrate a power of giving Instructions, for regulating of Ministers, in the exercise of their Ministrie, hath no affinity with this; as all know, who know any thing of these Controversies. Nor (2.) doth this piece of the discourse, in any manner of way clear, in what sense Magistrates may give Instructions to Ministers, to regulate them in the exercise of their Ministrie, and Ministers may receive them; and in what sense not. These two questions are so far distinct, that I cannot imagine to what purpose this discourse was brought in; or what it was that gave the least occasion thereunto.

But as to this maine Business, I would further enquire, whether the Brethren do judge, the matter of giving these Instructions, about which the debate did arise, did belong to the *first part* of the discourse; and so to be Intrinsically & Formally Ecclesiastical; or to the *later part*; and so belong to that power of the Magistrate, which is Objectively Ecclesiastical, whereby they judge of the matters of Religion, in order to their own Act, whether they will Approve, or Discourteance such a way? This question must be judged necessary; unless that whole discourse be accounted Unnecessary and Impertinent. If the *former* be said, then why was any troubled at Mr B's refusing to receive these Instructions? Why were not those condemned, who had received them? Why did not such as had received them cast them back againe? How came it that all of them did not unanimously agree in this Testimonie? Or how came it, that their Common Mouth did not speak what was the Common opinion of all? Why was it not more distinctly and in fewer words said, That they could not receive these Instructions; as being Rules Intrinsically and Formally Ecclesiastical, regulating them, who were the servants of Christ; in these matters. If the *Later* be said, Then was not only Mr B's both Practice and Discourse condemned; but the whole cause was basely betrayed; because under the pretext of the Magistrates power Objectively Ecclesiastical, that which is as Intrinsically and Formally Ecclesiastical, as many other, at least, are, was granted to the Magistrate. Will the Magistrate's power to act as a Man, and not as a Brute, in his Magistratical work, about an Ecclesiastical Object, that is, his power to judge by the judgment of discretion, which is Common to all the members of the Church; yea, to all men, as Men; which Papists deny unto Magistrates, allowing them

only to see with the Churches eyes, but Protestants grant unto them: Will, I say, this power warrant him, to give Instructions; and set down Rules, for regulating the exercise of the Ministrie? Yea, or will his Authoritative Judgment, in matters of Religion; that is, his sentence of Approving or not Approving; of Tolerating, or not Tolerating in his Dominions; of Countenancing or not Countenancing by his civil Lawes, such a Way or Profession of Religion, warrant him also to set Rules to the very exercise of the Ministrie? By what argument shall this consequence be proved; seeing (1.) In the one case, he judgeth of Religion, only in order to his own Act; but when he prescribeth Instructions, Rules and Orders, he judgeth of Religion, or of that part of Religion, concerning which the Instructions are, in order to it self, and the Intrinick manner of its Administration (2.) In the one, his judgment is purely Political and Civil, in the other case it is really Ecclesiastical. (3.) In the one case, his judgment is Objectively onely to be called or accounted Ecclesiastical; but in the other, it is Formally & Eleictively Ecclesiastical. (4.) In the one case, he acteth as a Magistrate, considering the outward Good, Quiet and Advantage of the Commonwealth; In the other, he acteth as a Church-Officer or Head, considering the Intrinick Nature, & Spiritual Ends of that part of Religion. (5.) In the one, he acteth in subordination to God, as Supream Governour of the World; but in the other, he acteth, as in a right line of subordination to Christ, the Supream Head and Governour of his Church, and Institutor of all the Admistrations and Ordinances, dispensed in the Church, and sole Appointer of the Qualifications of the Officers, and Rules of Administration: Or rather, if he act as a Magistrate, in this last, he Acts by an Archiectional power, and so as an Usurper, or by a power, which is only proper to Christ; or if he be said to Act ministerially, than also as an Usurper, because never impowered thereunto by Christ, the Supream King, and Head of the Church.

If we look upon this discourse of Mr. H. as a Testimonie, (and so it may be it was intended) or as a Declaration of the Judgement of the Ministers, concerning the Magistrat's *jur*, or Right, to impose Instructions or Rules on Ministers, for regulating them, in the exercise of their Ministrie; and concerning Ministers their call and warrant to receive or refuse such Instructions; I cannot but observe (1.) That it is very defective and short of a faire and full Testimonie, against the Practice of such, who were known to have invaded the Rights of the Church; yea and the Prerogatives of Christ, as sole Head and King of his Church; and, in prosecution of this designe of invading the same more, to have devised this medium of the *Indulgence* (2.) That it is not a plaine and full Testimonie against the present Act of Usurpation, whereby a power was assumed to judge in matters Ecclesiastical, Intrinsecally and Formally such; Yea, and to performe Ellicite and Formal Church-Acts, either Ministerially, as Ministers of Christ, clothed with Ministerial Church-power from him, which cannot be Instructed, nor doth it compete to a Magistrate, acting as such; or rather Magisterially, as Supream Governours in the Church, and Appointers of Qualifications, Rules, and Manner of Administration of Spiritual Institutions. (3.) That it was not a full and plaine Vindication of the Doctrine of the Church of Scotland; Nor an Assertion thereof, according to former Vowes, Covenants and Solemne Engagements. 4. That it was not candid and ingenuous, nor pertinent to the purpose in hand, as it should have been; by holding forth the Iniquity

quity of such Impositions. (5.) That it was conceived in such General and Scholastic terms, that neither they, to whom it was spoken, could well understand what was the drift thereof; nor others conceive what was yielded, or denied, in the then present case; yea, did not some of the Council say plainly, *they did not understand it*. (6.) That it contained defingenuous Insinuations and unfair Reflections on honest and worthy Mr. A. B. and a tacite Condemning (at least in part) of his Plain and Honest Testimony; as if it had contained something, either as to the matter, or expression, unjustifiable; or, at least, liable to exceptions. (7.) That it contained (at least) as worded, a design too obvious of humoring and pleasing the Magistrates, while actually stated in, and prosecuting an opposition to Christs Supremacie, and to the Right and Power, granted to the Church-Office-Bearers. (8.) That as it speaketh not home to the point; so it is not clear in it self; opposing unto Giving and Imposing of Rules, Intrinsically and Formally Ecclesiastical, a power only Objectively Ecclesiastical, whereby the Magistrate judgeth of the matters of Religion; in order to his own Act of approving or disapproving of such a way; and nothing else: And so either accounting all things to be Rules Intrinsically and Formally Ecclesiastical; which is not a meer judging in order to the Magistrates own Act; or, on the other hand, accounting all things, in and about Religion, to belong to that power, which is Objectively only Ecclesiastical, and so to be no less competent to the Magistrate, than is that Judgment of discretion, whereby he judgeth, in reference to his own act of Countenancing or Discountenancing such a way, which are not real prescribing of Rules, Intrinsically and Formally Ecclesiastical: And thus either giving the Magistrate too little, or else too much.

He tells us of another, that spoke before it came to Mr H's turn; and that this Person told, *He could not receive Ecclesiastical Canones from their L.L. but as for civil significations of their pleasure, under the hazard of civil penalties, he could say nothing to that; & that another told he homologate their speech.* But under faviour, this is *secundum artem violatizare densare densura voluntaria*; a pretty whimwham good for nothing. On a serious solid zealous Minister should have been ashamed, to have substitute such *Whimy Wharries*, in the place of a plain Testimony, clearly called for in the case. But these two Persons not only broke their own Order, and might have occasioned some Conternation to the rest, as well as Mr B's speaking did, but also spoke indeed nothing to the purpose; and might as well have been silent. For (x.) By this Distinction (little better than a mental reservation) they might have scrupled at nothing, that the Magistrate might attempt to prescribe, in Church-Matters; no, not at his giving Rules Intrinsically and Formally Ecclesiastical; for these might also passe under the Notion of Civil Significations of their pleasure &c. and thus contradict Mr H. their Common Mouth, and the Paper also, to which they had unanimously agreed: For, can they say, that the Magistrate giveth, or can give a Civil Signification of his will, only when he judgeth in order to his own Act of Approving or Disapproving such a way: and so exerteth that Power of his, which is only Objectively Ecclesiastical; and not also in many other Acts, meerly Ecclesiastical, even Formally and Intrinsically? Or can they say, that all the Intrinsicallness and Formality, in Matters Ecclesiastical, consisteth in their being done by Church-Officers, acting in a Church-Judicatory; and that

there is no Act, which in it self can be called Intrinsically and Formally Ecclesiastical; but that the sole ground of that Denomination, is their being performed by Men, in Church-office; and so the very Act of Preaching and of Administrating of Sacraments, might be done by the Magistrate, as Civil Significations of his pleasure, being not Intrinsically and Formally Ecclesiastick, but when done by Church-Officers: And thus all the Ecclesiastickness of Actions, which are Intrinsically and Formally such, floweth from, and dependeth upon the Ecclesiasticalness of the Agents. Whence it will follow, that all, which such Ecclesiastical Persons do, must be Intrinsically and Formally Ecclesiastick; and so their judging Civil matters, condemning Malefactors &c. (not to speak of other actions) should be actions Formally and Intrinsically Ecclesiastical, Ergo it is competent only to Church-Officers. And on the contrary, this should be a good Argument. This man is an Ecclesiastick Person; therefore the Action, which he doth, must be Formally and Intrinsically Ecclesiastick. And, as by this meanes, there should be no Cause, or Action, Formally and Intrinsically Ecclesiastical, in it self; so there should be no Cause, or Action, Intrinsically and Formally Civil in it self, but that onely which is done by the Civil Magistrate: And this consequence were good; This is done by a Civil Magistrate. Ergo it is Formally and Intrinsically Civil; and this should be a bad consequence, This is an action Formally and Intrinsically Civil Ergo it is to be done by the Civil Magistrate onely (2.) This answer of these two Brethren must either Homologate what Mr H. said; or be dissonant therefrom: If *Dissonant*, then they did not keep to the Paper, which they had owned, as Mr H. did Then also Mr H. in his discourse spoke not truth; for I suppose, these two will think, they spoke right; and then either the Paper, that was agreed on, was not right, or Mr H. spoke not according to it; for I also suppose, that these two will say, they spoke nothing disagreeing with their Paper. If their answer did Homologate Mr H's discourse, then what necessitie was there for it: And why used they other expressions, if they had a mind to speak: And it would seem, that all that Mr H. said, was this and no more: Mr B. and we must be excused, if we look not upon the Council as a Church-Judicatory, making Ecclesiastical Canons; but only as a Civil Court, eniitting Civil significations of their pleasure, under the hazard of Civil penalties. (3.) This answer seemeth to me a more plaine giving up of the Cause, than all which Mr H. said; for it is no other in effect, than this; Let the Magistrates enioine what they please, we need not scruple, upon the account of any encroachment made upon the Prerogatives of Christ, or Privileges of his Church; for this distinction will salve all; Let us receive all, not as Ecclesiastical Canons, but as Civil significations of their pleasure &c. and so there is no danger, though they should use both a Dogmatick, Critick and Diatactick power, determine Controversies of faith, Appoint Rules of Ordination, Condemne Hereticks, Debarre from the Sacraments, and Admit thereto by their sentence; judge of Church-members, or determine who should be admitted, as such, and who not: In a word, do all which Church-Judicatories do. This distinction will make all go down, (4.) By parity of Reason, if these Brethren were before a Church-Judicatory, meddling with all Civil affairs, determining Civil pleas, giving out civil Injunctions, Lawes and Rules &c. they might and ought as willingly submit, and salve all with this distinction, saying. We cannot receive Civil Lawes from you, but as for Ecclesiastical significations

sions of your pleasure, under hazard of Church-censures, we can say nothing to that: And thus they would sweetly comply with all the Invasions made upon, and Usurpations of the Civil power, whereof the Popes Conclave, and other Popish and Prelatical Courts, are justly accounted guilty, without scruple.

Now at length, it came to Mr H's turn, who, as our Informer saith, received not these Instructions publickly, as having seen them before: Let us hear what he said. He tells us, that he resumed what he had said formerly, concerning a Formal Ecclesiastical Power, which could not be allowed to the Magistrate; and a Power Objectively Ecclesiastical, which was allowed to him: Insinuating with all, that the Brethren would either observe, or not observe their Directions, according as they judged of them, in their Consciences, upon their peril. On what was here resumed, I have given mine Observations before, and shall onely adde. That this Formal Ecclesiastick Power must point forth a Power in it self such, and therefore so called; and not so denominated meerly because it is exerted by Church-men; as the two Brethren fore mentioned hinted in their Answer and Distinction; otherwise his Distinction should have run thus, betwixt a Power Subjectively Ecclesiastical, and Objectively Ecclesiastical. But this would confound all Causes and all Power; and would bring all Civil Causes objectively under the Power of the Church; and all Church-Causes objectively under the Power of the Magistrate: Yea and make all Things and Actions, done by the Civil Magistrate, though otherwise but Objectively Ecclesiastical, to be Formally Civil; and on the other hand, make all Actions, done by Church-men, though otherwise but Objectively Civil, to be Formally Ecclesiastick. As to the Latter Part of this speech, I judge the same might have been said, had he been before the Church-Judicatory, receiving the same, or the like Instructions. And was this all? Was there no more requisite in this case? Is it all one thing, at whose hands Ministers receive Directions, Rules, Restrictions and Injunctions, or the like, to regulate them, in the exercise of their Ministrie, whether at the hands of the Pope, of a Prelate, of the Magistrate, or of a Church-Judicatorie, providing they be such, as may be observed, or otherwise to take their hazard? I suppose, our Fore-fathers would have said something else: And, I trow, Civil Magistrates, if called before the Prelates Courts, to receive Injunctions or Rules, to regulate them, in the exercise of their Office, would say some other thing, than that they would observe, or not observe these Directions, according as they judged of them in their Consciences, upon their peril. And if they would have stood to their Rights, as is to be supposed, the greater fault it is for Ministers, to quite the Rights of the Church so easily, wherein the Glory of their Master doth so much consist. Yea moreover, this superadded Insinuation makes me suspect the fore-mentioned Distinction the more: For had that Distinction been honestly proposed and intended, this superadded clause had been utterly needless.

Upon this (as we are told by our Informer) followed my L. Chanc. Answer, which was this, *That the King gave them these Instructions by his Council, and if they did not observe them, the Council would punish them.* By which we see, that these Instructions were given by an *Autocratick* power, by the Magistrate, as such; and consequently being in Church-matters, Intrinsically and Formally such, by an Usurped power. We see next, that the commanding of the observation of these Instructions, cometh from the Magistrate *in prima Instantia*, and so are not Civil Sanctions,

ctions, and Confirmations of Injunctions, ministerially proposed by Church-Officers, upon both which grounds, I conceive Mr H. had a faire occasion to have vindicated both the Prerogatives of Christ, the sole Head of the Church, and the Privileges of the Church, bestowed on her by Christ, her King and Lord: Yet we finde, that all the reply, which he made, was this: That for the matter of Civil punishments, they had never denied the Magistrates right in them: And that he took notice from that Answer, that their L.L. asked in a Civil way, only competent to them, in their dealing with Ministers, which they could not decline; hoping their L.L. designed not to stretch their power beyond their Civil line. Which reply, in my judgment, was neither Pertinent, nor Sufficient: Not Pertinent, because the question was never moved, concerning Magistrates executing civil punishments, but concerning their power of Imposing Injunctions and Rules, to regulate Ministers, in the exercise of their Ministrie, which the L. Chanc. owned and avouched in his Answer, little regarding Mr H's distinction, betwixt a Formally Ecclesiastick power, and a power Objectively Ecclesiastical. Not Sufficient; because the maine businels was unhandlously waved. Nay, moreover, this Reply was an yeelding of the whole cause, and a granting that Magistrates might meddle with any Church power, and enjoyne what they pleased, providing they punished only civilly such; as transgressed. Hence they might ordaine a Minister, and command him to preach to such a people, that would not call him, and depose another, and discharge him to preach any more, as a Minister or Administer Sacraments, under a Civil penalty. So under a Civil penalty they might prescribe the matter of preachings, decide Controversies of Faith, and appeals in Church-matters, &c. Yea, in a word, meddle with the most Intrinsicke and Formal Church-matters. Finally, I do not see what ground my L. Chanc. gave, yea or occasion to make this Reply; for though his L. said, the Council would punish; yet he said not, the Council would punish civilly onely: No, his expression might comprehend Ecclesiastical Punishments also, conforme to the power granted to them by the Kings Letter.

After a great deal of Discourse, spent upon personal reflections; and vindications, with which the cause is not much concerned, and therefore the less to be noticed by me, our Informer cometh in end to vindicat Mr H's speech, which, as it would appear, had given no small offence, and he tells us, that in it we may perceive, an Assertion of an Ecclesiastical power to make Rules for regulating Ministers, which was not yeilded to the Magistrate; with a concession of his power Objectively Ecclesiastical: And a declaration of their receiving Papers of them under that notion, did not oblige them to observe these directions; but they were to give therein upon their peril. We heard indeed of Rules Intrinsically (and afterward) Formally Ecclesiastical, for regulating Ministers in the exercise of their Ministrie, which he hoped their L.L. did not intend to make or impose upon them, who were the Servants of Christ. But we heard of no Assumption, That such were the Rules, contained in the Paper, tendered unto them: Nor of a Conclusion. That therefore they could not, they might not in conscience, accept of them. We heard of a Concession also of the Magistrates power objectively Ecclesiastical: But we could not understand, to what purpose it was adduced, unless for justifying of the Magistrates, in giving those Injunctions, and themselves in receiving of them. Nay, I perceive here, our Informer asserteth, that which I was but suspecting formerly, and durst not positively asseme,

vix. That they looked upon these Instructions, as flowing from the Magistrat's Power Objectively Ecclesiastical; For nothing else can be Imported in these words, *And a declaration of their receiving Papers, under that notion.* Now, what can this notion be, under which they received these Papers, but the Magistrat's power Objectively Ecclesiastical? And what may hence be gathered, we shall hear anon. We heard lately, that Mr H. did intimate, that the Brethren would either observe, or not observe their Directions, according as they judged of them in their Consciences, upon their peril: But that he declared that the receiving of these Papers did not oblige them to observe these Directions, I did not hear till now. However, since this Informer saith, that this was Mr H. declaration, I profess, it seemeth strange to me, that he should have spoken so; for the publick & Judicial receiving, even at the bar, of such Instructions, was a solemn declaration of their present purpose and willingness to obey these Injunctions, there being no exception made against any of them in particular; nor no desire expressed of a liberty to be granted, to consider and examine them. And sure, if they had suspected the irrelevancie or unlawfulness of any of them upon the matter, Ingenuity and Conscience would have said, that so much should have been exprest; and that the Paper, (if so be they would not refuse to accept of it) should have been accepted, with that clause of exception; or rather rejected, until they were assured, it contained nothing but what was lawful upon the matter: Forto accept a Paper, containing Instructions; and to say withal, they would obey, or not obey them, as they thought good, on their peril, was neither to act with an Ingenuity, becoming Christians; nor with an Zeal, becoming Ministers, nor with that Respect, due to Magistrats from them, both as Christians, and as Ministers; nor with that Care and Circumspection requisite for avoiding of scandal, and especially at such a time, when the eyes of many were upon them, both of friends and of foes. And if any say, That that Declaration was a sufficient Protestation, I crave leave to adde, that it was a Protestation annulled by their deed, *Protestatio contraria facto*. How much better then had it been, to have forborne that deed, which had in it, at least, an appearance of evil; and to have dealt faithfully with the Council; and told, That they could not obey these Instructions; and therefore behoved to be excused from receiving of them. But I confess, when that great matter was so lightly passed over, I meane, the Power, making and imposing these Instructions, it is to me little wonder, that this was swallowed down also.

Our Informer tells us next, that in all this discourse of Mr H's he cannot see such Heterodoxie and Novelty, as to give occasion to any to say, *That he gave to them all, that the Godly Divines give unto the most Godly and reforming Magistrats on earth; or that Ministers receiving these Papers, on these termes, should warrand honest people to think, that they gave up the right of the Church, with their own hand, to the Civil Magistrat; or that any Ministers should highly resent their treacherie.* But to answer, Though this Informer cannot see such Heterodoxie, or Novelty, as to give occasion to passe that censure on Mr H's discourse; yet it may be, others shall see ground for that, and for more too. And I shall willingly grant, that what agreeth to Magistrats, as such, agreeth to all Magistrats, good and bad: Yet it may be maintained, that more may be allowed in such Magistrats, as are really minding Reformation, the Glory of God, the good of the Church and all her Rights and Privileges; than in such, as are open

Enemies thereunto; and are seeking by all meanes to destroy the Church, to rob her of her Rights, Privileges; and Power, and to enrich themselves with the spoils of Christs Crown. And therefore: when Ministers have to do with such Open and Avowed Enemies, they are called to more strick watchfulness and care, lest they do, or say any thing, which may confirme such in their Usurpations, and encourage them to encroach more. And whether this care was used at this time, I leave to all, who are acquainted with what passed about that time, and with what daily is observable, to judge. For my part, if Mr H. did grant to the Magistrate, by vertue of his Power Objectively Ecclesiastical, a Right or Power to Make and Impose Rules and Injunctions, to regulate Ministers, in the Exercise of their Ministrie, as our Informer lately himself hinted, I think, he hath not onely given to them all, that the Godly Divines; give to the most Godly and reforming Kings: But much more; except it be that, which was given to Extraordinary and Immediately Inspired Magistrates, that were Prophets also, and Men of God, such as David and Salomon: Or in a time of Universal Defection and Deformation, which can no other way be remedied. Neither of which can be applied to our case. And further, I wonder how he thinketh, any can judge otherwise, than that, interpretatively at least, the receiving of these Papers, on these termes, was a giving-up of the Right of the Church, with their own hands; seeing it is so clear and manifest, by what we have said. And seeing it is so, himself will, I suppose, grant, that every Minister is called highly to resent this treachery.

What saith our Informer for Vindication; But *whose will read*, saith he, *Our Anti-Erasian Writers, will finde that they yeld so the Magistrate, as Magistrate, (and consequently to all Magistrates, be what they will, good or bad, though upon his perill, as he shall answer to God for it, if he shall determine wrong) a Publick Politick & Definitive judgment, concerning Matters of Religion, in reference to his own Act about them; or (for they diversifie the phrase) a Power of judging of his own Act, about Spiritual or Religious things, to be observed; or not observed by their Subjects.* And to make out this, he citeth some words out of the CXI. Propositions, Propos. 97. where these Words are, *As to each member of the Church respectively, so unto the Magistrate belongeth the judgments of such things, both to apprehend and judge of them: For although the Magistrate be not ordained and preferred of God, that he should be a judge of Matters and Causes Spiritual, of which there is a controversie in the Church; yet he is questionless judge of his own Civil Act about spiritual things; namely of defending them, in his own Dominions, and of approving or tolerating the same: And if in this business he judge and determine, according to the Wisdome of the Flesh, and not according to the Wisdome which is from above, he is to render an account thereof, before the Supreme Tribunal.* But to what purpose is all this waste of Words? Doth he, or any man think, that we deny to the Magistrate a judgment of his own Civil Act; or that we suppose, that Mr H. and others have betrayed the Cause, because they granted to the Magistrate a Power Objectively Ecclesiastical, so far, as to judge thus of his own Civil Act of Tolerating such a way within his Dominions? No, that is not the ground we go upon. But this we say, that if Mr H. or others, do inferre from this power of judging, in reference to his own Act competent to the Magistrate, that the Magistrate, may Impose Rules and Injunctions, to regulate Ministers in the exercise of their Ministrie; then they have betrayed the Cause: And either they must inferre this therefrom, or they speak nothing to the

the purpose: And himself lately told us, as much as all this. Now let him, or any man show me, where any Anti-Erastian Divine reasoneth thus, or draweth such an Inference, from this Power Objectively Ecclesiastical. Yea I much question, if *Vedelius* or *Maccovius* his Colleague, did ever so argue. And sure I am, the Author of the CXI. Propositions *Propos. 45. &c.* cleareth up that Difference betwixt these two Powers, which is taken from the Object and Matter about which. And *Prop. 54.* he sheweth, that those things, wherein the Ecclesiastical Power is exercised, are preaching of the Word &c. And *Prop. 55.* That though the Civil Magistrate is occupied about the same things; yet it is but so far, as concerneth the outward disposing of Divine things, in this or that Dominion. Nay, I must say, that I cannot see, how this will follow, That Magistrates may prescribe such Rules unto Ministers, to regulate them in the exercise of their Ministrie, because of a Power granted to them, to judge of their own Civil Act, about spiritual things; more than that every Church-Member may do the like; for in that *Prop.* as the Words cited do clear, the Author giveth that same Power to every Member of the Church respectively, and how can it be denied to them, or to any rational man? Nay, let me say more, Have not Ministers, and every private man, this power of judging of his own Act about things Civil; and in this respect also an Objectively Civil Power? Will it theretore follow, that they can prescribe Rules, to regulate Magistrates in the exercise of their function? And if a Magistrate should come to the Prelates, or Pop's Bar, and take a Paper from him, containing such Instructions, and give this onely as his Apologie, that he acknowledged a Power Objectively Civil, competent unto the Pope or Prelate? because they had power to judge of their own acts about civil things; would not others have cause to judge, that that Magistrate had denied the Co-ordination of the Powers, & had professed his Subordination as Magistrate to Pope or Prelate? Now, *Verte Tabulas* and see how the parallel runneth in our case, and then judge.

From the foregoing discourse, and particularly from that cited out of the CXI. Propositions, our Informer, now a Disputer, Inferreth, *That he hopeth no man in reason can alledge Mr H's receding from the Principles of this Church, in the matter.* But for my part, though I will not judge of the Thoughts or Intentions of Mr H. or of any other of his Brethren; yet considering the work it self, as this Informer hath represented it unto me, in its circumstances, I cannot but say, that in the thing, and as to the *Intentio operis*, there was a receding not onely from the Principles of the Church of Scotland, but also from the Zeal of our former Worthies, who ventured all to transmit the truth, pure from *Erastianisme* and *Casario-Papal* Invasions & Encroachments, And from the strick Obligations, lying on us all, to stand to the Truth, and to the Defence of the Power and Privileges of the Church, against the Usurpation and Encroachments of the Magistrates, [seeking alwayes to inhaunce all Church-power into their own hands; nor out of love to promote the Glory of God, and the real good of souls; but out of a desire to have the Ministrie, and the outward Administrations of grace enslaved unto their wills. Is it not certaine, out of what ground this Indulgence did grow; and how the Act of Supremacy (which no Conscientious Minister or Christian can owne or acknowledge,) as it was occasioned and necessitated by the Indulgence; so it became the Charter thereof, and gave legal life and being unto all that followed? And was it not as certaine, that a Designe to procure a *Requiem* to themselves, in all their Usurpations, and intolerable Invasions of

Church-Power, and overturning of the whole Work of God; and withall to make way for the further Enslaving of the Church, and of all Church-Power to their lusts, did midwife this Bastard-Child into the World? And could it be uncertaine to rational observing Persons, what was the Designe of King and Council, in giving these Instructions, First and Last? Yea, was not the whole Business so carried on from First to Last, as half an eye might have discovered a wicked Designe therein? And was not the Explicatory Act of the Supremacie a more than sufficient proof of an *Erastian* Spirit, that led and acted them, in some things, beyond what the Anti-Christian Spirit could for shame prompt the *Pope* to arrogate to himself? And when from these things, and many others such like, yea from the whole Proceedour of King Parliament and Council, in their Actings, since this last Revolution began, it is more than sufficiently clear, what they did and do Intend; will any say, it was not their Duty, while so Providentially called to witness to the Truth, to give a more Plain, Full, Ministerial and Christian Testimony, to the Truth, which our Predecessours maintained, with so much Hazard, Expence of blood, Loss of Liberty, Tossings, Imprisonments, Confinements, Condemnation to Death and Banishments &c. and which we were so solemnly sworne to stand to? And will any Ingenuous Christian say, that, all circumstances being considered, the Testimony given was such, as became men standing in the Fields for the Truth of Christ, and engaged in point of Conscience and Christian Valour, Honour and Credite, to cover the ground they stood on with their dead Bodies, rather than cede to such a manifest Encroaching and Invading Enemy? Will any, who readeth the carriage of our valiant and renowned Worthies, in opposing the Encroachments of King *James*, (who yet never did, nor for shame could arrogate to himself such a transcendently Superlative Supremacie over Church-matters, as now by Act of *Parliament* is declared to be an Inherent Right of the Crown) think, that they would have satisfied themselves with such a General, Impertinent, Confused, Indistinct and Defective Testimony to such a Glorious Truth? Will any, who considereth the Zeal, that ordinarily acted our faithful Progenitours, from the beginning to this late Catastroph, and of our valiant Worthies, who valued this Truth of Christ's Kingship above their lives, think that there was not here a palpable cedeing from that Spirit and Zeal, which moved them to postpone all things, to this chief matter? And can any say, that this way of vindicating Truth, wherein so much Pusillanimity, Diffingenuity, carnal Consultation occasioning Misconceptions and Blindness, appeared, did keep correspondence with our frequently reiterated Vowes and Engagements? Was it pertinent or seasonable, or could it be satisfying to propose, in such an exigent, a meer *Cothurnus*; I meane, that general Assertion of the Magistrates Objectively Ecclesiastical Power, no less ambiguous till fitly explained, than impertinent to the case then in hand? Nay, let this very Informer tell me, if he think not, that more Plaine, Clear and Full expressions might have been fallen upon, if plaine and home dealing had been Intended? This I suppose may serve for an Examination of that matter, as this Informer hath declared it unto us.

Reasons against the Indulgence.

THough by what is said, it may be sufficiently seen, how sinful that *Indulgence* was upon the Accepters part (with which we have onely here to do) as it was conveyed and circumstantiated; and occasionally we have here and there discovered several particular Evils, wrapped up in it, beside its sinful Rise and destructive Tendency: All that now remaineth to be done, is to draw the several Eviles, comprehended in this complex business, to their own proper Heads, that the Reader may see at one view, what was formerly scattered up and down the foregoing Relation: And, considering what is said, it will not be necessary to insist on particulars; to touch them in a word will be sufficient.

I. How injurious it is to Christ, as Head of the Church.

WE shall beginne with this Head of Arguments, and show in how many particulars, injurie was done, by the *Indulgence*, as accepted, unto our Lord Jesus Christ, the onely Head and King of his Church; And

1. In that hereby they declared, they did not hold their Ministrie wholly and solely of Jesus Christ: Sure Christ alone, as Head and King of the Church his spiritual Kingdom, did Institute this Office of the Ministrie, and did Impower men unto the exercise thereof: As the Scriptures do prove: And Ministers depend solely upon Him therein, if they renunce not their own place and standing. But we saw above, how the Indulged did plainly and positively refuse to say, that they held their Ministrie of *Jesus Christ alone*: See what is remarked on Mr H's speech, when the first Ten were Indulged, where *ex professo* the word *alone* was left out; and what is said in Answer to the Informer, who was dissatisfied with Mr Blair. whereby an injurie of a very high Nature was done unto our Lord Jesus, who *alone ascended up on high, and led captivity captive, and gave gifts unto men; even, gave some Apostles, and some Prophets, and some Evangelists, and some Pastors and Teachers*, Eph. 4: v. 8. 11. It was God alone, that set some in the Church, first Apostles, secundarily Prophets, thirdly Teachers, after that Miracles, &c. 1 Cor. 12:28. So that as the office of Apostles, Prophets, Evangelists, &c. were onely from Christ; so was the office of Pastours or Teachers. Hence they are said to be made Overseers by the Holy Ghost, *Act. 20. v. 28*. Whoever therefore will not confess, that Ministers hold their Ministrie alone of Christ, do derogat hugely from His glory, and rob him of his Prerogative; and set these others (who ever they be) of whom they hold their Ministry, in part, or in conjunction with Christ, down upon Christ's Throne, and make Christ no sole King, and Head of his Kingdom; and consequently no sole Prophet or Priest and Mediator. And what an affront this is unto our Lord, let any judge. And if (as we know) the clay-Kings of the Earth will think themselves sufficiently dethroned, and unpardonably injured, if any Subject be made partaker with them of their petty Sovereignty, in whole, or in part; let any consider, how Christ shall take this injurie done to him by his own professed Servants. But some will possibly say, Though this was their fault and great escape; yet it was but personal; and accidental, as to the *Indulgence*; and so can-

not affect the same : Or make it an incroachment upon Christ, of such an high Nature. *I answer* ; This being spoken at that occasion, when the King and Council were acknowledged thankfully for the granting of the *Indulgence*, cannot but have a reference unto the *Indulgence* it self; and supposing (as all reason will allow us to do) that what was said, was spoken with understanding, it must be granted, that they had their eye upon the *Indulgence* granted; and so their discourse was to this purpose in effect. We declare, that we hold not our Ministrie of Christ alone, but of Christ and of the Magistrate; and therefore do accept of this *Indulgence*, without scruple. Whence also it is manifest, that they looked upon the *Indulgence*, as a consequent of their holding of the ministrie partly of the Magistrate. And whether the Magistrate did intend the granting of the *Indulgence*, as a declaration of their accounting Ministers to hold their Ministrie partly of them, or not; yet the accepting of the *Indulgence* thus, was a plaine declaration, on the accepters part, that they held their Ministrie partly of the Magistrate, and not solely of Christ; And consequently that they owned not Christ, as sole Head of the Kirk. *Further*, This discourse of theirs, so worded purposely and deliberately, saith, that if they had not beleev- ed, that they held their Ministrie not of Christ alone, but of others also, they could not have accepted of the *Indulgence*. If any should yet say, That though this might be said of the *Indulgence*, according as it was understood by the Accepters; yet it will not follow, that the *Indulgence* it self is chargeable with this. *I answer* yet hereby it is granted, that the Accepters are chargeable with high Treason against the King of Kings, our Lord Jesus Christ: And as for the *Indulgence* it self, we may safely confute of it, according to the sense both of the Granters and of the Receivers: And by what followeth, its nature will be more fully discovered. If it be said, That the most that can be inferred from that expression of the Accepters, at that time, is, that as to the Exercise (which is distinct from the Office of the Ministrie it self) they did depend on others, than Christ, *I answer*, No mention was made of the Exercise, but of the Ministrie it self. And even as to this, there was no small injurie done to Jesus Christ; and this leads me to a second thing, here remarkable.

2. By this *Indulgence*, the Prerogative of Christ, as sole Head of His Church, is further encroached upon, in that the Indulged do hold their Ministrie, as to its Exercise, not of Christ alone, but of the Magistrates, either solely, or in conjunction with Christ. And that this is a wrong to Christ, is manifest, in that it saith, the Office, and the Power to exercise the Office are not from Christ alone. The Office can import nothing, but a bare name, if it import not Power to exercise the Office, or do the work peculiar unto such an Office: And if Christ be said to give the Office, but others must give the Power, Authority, and *jur* or Right, to exercise the Office, he shall be made a meer Titular King. But he told us some other thing, when he said *Matth. 28; 18. 19. All Power is given unto me, in Heaven and in Earth, go ye therefore and Teach all Nations, Baptizing them &c.* And when he said *Joh. 20: 21. 23. ----- As my Father hath sent Me, even so send I You ----- whose soever sins ye remit, they are remitted unto them &c.* See *Mark. 16: 15. --- go ye into all the World, and preach the Gospel.* The Office was in order to the Exercise: And when he gave the Office, he gave the Power to exercise the same. When *Paul* was made a Minister, he was sent to open eyes *Act. 26: 16, 18, The Ministrie, sure, is a Talent, and*
who

who ever get it must trade with it, or expect a sad Sentence. If it be said, That this will take away the Power of Church-Judicatories, who ministerially, under Christ, both conveyeth the Office and the Power to exercise the same. For *Answer*, I deny that any such thing will follow: And to clear this, I shall shew a third Injurie done to Christ, by this *Indulgence*.

3. If it should be said, that by the accepting of this *Indulgence*, from the Magistrat, they no more prejudice Christ of his Right both to give the Office and Power to exercise the same, than when they take the same as conveyed to them by Church-Officers. I *Answer*, That the Difference is great, and the Encroachment made on Christs Prerogative by the *Indulgence* clearly assented to: In that another way of Conveyance of the Ministrie, and of the Power to exercise the same, is here closed with, than Christ, the only King, hath appointed. Christ hath instituted Church-Officers for this end, to convey the Office and Power, which he hath appointed, unto particular Persons. The *Holy Ghost* said unto *Prophets and Teachers*, that were at *Antioch*, *separate me Barnabas and Saul, for the work whereunto I have called them* *Act*. 13: 2, 2. *Paul and Barnabas* ordained Elders in every Church *Act*. 14: 23. *Titus* was ordered to ordaine Elders in every Church *Tit*. 1: 5. *Timothie* was to commit the things, he had heard of *Paul*, to faithful men, who shall be able to teach others *2 Tim*. 2: v. 2. The gift was given with the laying on of the hands of the Presbyterie *1 Tim*. 4: 14. But here the Office, or the Exercise thereof is conveyed by the hands of Magistrates, whom Christ never did commit that matter unto. And thus another, yea a quite Opposite, *Medium* is embraced and followed, than what Christ thought good to make choise of, to his great dishonour and disparagment; as if he had not been Wise enough to appointe the best meanes; nor had not Authority enough solely to appoint the meanes and wayes, he thought fit.

4. The wrong done to Christ, by the accepting of this *Indulgence*, will be hence manifest (which will also clear up the Difference betwixt what is conveyed from Christ, by his owne Ministers, and what is conveyed by Magistrates.) That the Office or Exercise of the Ministrie is received from them, who in this deed, do not, neither can Act, in a Ministerial Subordination to Christ, as sole Head and Fountaine of all Church-Power; so that their interveening betwixt Christ, and those, who receive the Office or its Exercise, as a *Medium* of Conveyance, saith, that Christ is not sole Head of the Church, and Fountaine of Church-Power. The ground of this is, because Magistrates, as such, do not Act in a direct line of Subordination to Christ, as Mediator, as Church-Officers do: And further, what they do as Magistrates, they do not (in reference to their Subjects) with a Ministerial Authority, as Church-Officers do; but with a Magisterial, Imperial, Coactive, Autocratorical and Archirectonick Power and Authority: And as to the Church, this Magisterial Power belongeth to Christ alone: So that the submitting unto any other Magisterial and Supream Autocratorical Power, in Church-affaires, than what is solely in Christ, is an acknowledging of another Head and Supream Governour in the Church, beside Christ; and this is a plaine dethroning of Christ, who will either be sole King, or no King.

5. The accepting of this *Indulgence* containeth another wrong done to Christ, in that thereby, there is an acknowledgment made of the Insufficiency of all the Rules, Prescriptions and Instructions, granted by Him, for the ordering of the exercise of the Ministrie,

Ministrie, and for information unto his Ministers, concerning the way, how they should go about the exercise of that Employment: For in the *Indulgence*, there were with all first and last Instructions given, how to regulate them, in the exercise of their Ministrie: And so when the *Indulgence* was embraced, as accompanied with these Instructions, the Power, granting these Instructions, was acknowledged and submitted unto; and when these Instructions were not holden forth ministerially, as when the like are given by Church Judicatories, but by such, as Act in all things, which they do as Magistrates, by a Magisterial and Autocratorical power, not subordinat unto Christ, as Mediator, in a right line of subordination; an Autocratorical, Magisterial, and Supream power to make Rules, and to give Instructions to Ministers, to regulate them in the exercise of their Ministerie, is granted to the Magistrate, to the robbing and spoiling of Christ of that sole Supream power, which is due to him, and is a part of his Prerogative Royal.

6. Herein also the Accepters of the *Indulgence* have done injurie unto Jesus Christ, in that they have taken a new holding of their Ministrie, and of the Exercise thereof, and so materially have renounced their old holding of Christ immediatly, as King of his Church, and sole Lord of his House: They have taken a new Commission for the Exercise of their Ministrie, and a Commission inconsistent with, & not subordinate unto the Commission, they had formerly from Christ. I shall not need to insist on this here, having declared it so fully above, in vindication of *M. A Blair's* Assertion; *to wit*, That if Ministers take Instructions from Magistrats, for regulating them, in the exercise of their Ministrie, they should not be the Ambassadors of Christ.

7. It is a part of the Royal Prerogative of Christ, to appoint the Qualifications of his own Officers: But here the Magistrate doth, by his Magistratical Power, appoint and determine the qualifications, which he will owne as such, in reference, at least, unto the exercise of the Ministrie, and this is not done ministerially; and consequently in contradiction to the sole power and Prerogative of Christ. The accepters therefore of this *Indulgence*, granted onely to such, as are so and so qualified, do not onely acknowledge themselves to be so and so qualified; but do sweetly, in so far, acquiesce unto the Magistrate's Autocratorical determining of these qualifications; and unto his assuming a Supream Nomothetick power, in Church-matters. As for these qualifications, we have seen above, what they are: See our 3. *remark* upon the Kings Letter.

8. It is also a part of Christs Prerogative Royal, to prescribe and set down the way, how he will have such and such an Officer in Particular, set over such or such a Flock in Particular; that so the Minister, so fixed to his special work, may have ground to say, that this is the Flock, over which the Holy Ghost hath made me an Overseer. But here in this *Indulgence*, the matter is so conveyed, as that the Indulged can not with good ground say, the Holy Ghost hath set me over this people, but only, this is the flock over which the King & his Councel have made me the Overseer. But against this it is said, *May not the Man, who returneth to his own Congregation, from which he was unjustly thrust away, say this? And may not he also speak thus, who hath the Cordial Invitation and call of those concerned? And what shall then be said of them, who preach in the fields?* *Answ.* 1. If the Minister's returne to his own place were faire and cleanly, and so as the old method and ground were not questioned, or weakened, then he

hemight indeed so speak; but it is not so here; for his returning to where he was before, was a meer accidental thing; and his ground is not his former relatione unto that people, but the Order of the Council, which was of the same nature with the Order given unto others, as we saw above, and so he can only now say; though this be the flock, over which the Holy Ghost did once make me an Overseer; yet now I am set over it by the Councils Order. (2.) As for that Cordial Invitation, which some possibly did obtaine, it was no such call, as Christs Law alloweth, it was not the rise & fountaine of those Ministers going to those places; but a & posterioir meer precarious thing, whereby the Ordinance of Christ was rather prostituted, than followed: It is sufficiently known, that the Council made the free Election, and not the Parish: And withal, where was the Act of the Presbyterie, giving them Ministerially a Porestative mission? This belongeth to the Methode, that Christ hath Prescribed; but here the Council both called, choosed and sent, and so were both the Flocks and the Presbytery. (3.) As for the third Particular, every one may fee how impertinent it is; for this preaching in the Fields, or Houses, is no fixed stated Oversight over a distinct company, as is that of a Minister over a Particular Flock, but a meer occasional Act, depending upon a Providential call from God, and the cordial entreatie of this Persecuted people; which is all that is requisite thereunto.

9. There were among these Instructions, given by the Council, several Restrictions and Limitations in and about the administration of Christs Spiritual Institutions, as of Preaching, of Administration of Baptisme, and of the Lords Supper, as also of Discipline: And these Restrictions and Limitations, nor being made by a Ministerial Power, with a Ministerial Authority explaining and applying the General Rules, given by Christ thereanent, as Church Officers, and Church-Judicatories do; but by the Magistrat, who acteth with a Magistral, Ministerial, and Autocratorical power; that is, by a power, which in Spiritual matters of the Church; belongeth to Christ only, who is sole Head and King thereof. The receivers therefore of this Indulgence, thus conveyed, and accompanied with such Limitations & Restrictions in and about the Administration of Christs Ordinances, do contribute their concurrence unto this Invasion.

But against this and other Particulars formerly mentioned, taken from the Prescriptions, Rules and Instructions, wherewith this Indulgence was attended, it is said, *That in the accepting of this Indulgence there was a simple use making of a favour offered, and no formal engagement unto the prescriptions, which the Magistrat did not expect, plainly resting upon the intimation of his own will: For here the Magistrat was not treating and expecting our formal consent or security for performance of what was required; but did simply appoint and command, as they would be answerable. So that the embracer of the Providential favour, giveth no complex consent unto the Prescriptions.* I Answer, The favour offered was no favour indeed, as circumstantiated; nor could there be a simple use making of that supposed favour, which was so attended with imposed Conditions, Instructions and Limitations, without at least a virtual acknowledgment of a Right & Power in the Magistrat, to make and impose such Conditions &c. for howbeit the Council propose the matter by way of Command, as thinking it below them to Act otherwise; yet both the Nature of the thing, and the concomitant Acts, made of purpose to Restrict, Limite and Qualifie the favour proposed, and to Instruct and Oblige the Receiver, say, that the accepting of the first, is with an engagement to per-

forme the *second*, both being but one complex thing. Nay the Council (as we saw above) in their Acts and Proclamations do expressly hold forth the favour to be granted and accepted condition wayes: and Mr A. Blair, for renouncing of the conditions, was deprived of the favour. Who accepteth a favour offered with its burdens, in accepting the one accepteth both, and taketh the favour *cum onere*; and this cannot be otherwise understood, howbeit the Council did not waite for their expresse consent unto the Conditions, for their receiving of the favour so offered was sufficient thereunto; as when a Father granteth such or such a piece of land to his Son, but withal layeth this burden on that favour, that he must pay so much debt, if the Son accept: of the land so clogged, he cannot but take on the debt, though he gave no expresse consent thereunto before.

II. *How contrary it is unto Presbyterian Principles.*

We shall in the next place show, how injurious the accepting of this *Indulgence* was unto our Presbyterian Principles; & what wrong was hereby done unto the Church, as to her Privileges, and that Power, which Christ hath granted unto her.

1. It belongeth to the Church, and to Church-Officers, to try and examine the gifts and Qualifications of such, as are to be exercised in the Ministrie, and to declare Ministerially, by explaining and applying of Christ's Rules and Lawes, who are fit and qualified for the work of the Ministrie, and who not: But here the Magistrate declareth what that is, which he looketh upon as a due Qualification, and judgeth who are so qualified, as to be fit for the Ministrie; and that without the least deference imaginable unto any Church-Judicatorie whatsoever. If it be said, That they Indulged none, but such as were Ministers already, and so were supposed to be sufficiently qualified for that work. I *Ans.* The Church Officers, or the Presbyterie, are not only to judge of Qualifications, in reference to the Ministrie in general, but also in reference to the Ministrie, in this or that Particular place, where he is to be fixed; and no Church-Judicatory had this judgment, in the matter of the *Indulgence*; but the Council only. And as they Indulged them, so they might have Indulged others, who had not been placed Ministers before, as we see they did Mr Weer, whom they did not account a Minister before. If it be said, That the Qualifications, which were here considered, to wit, *peaceable and orderly*, belong properly to the judgment of the Civil Magistrate, who, as he maketh civil Lawes, so can judge, who observeth or transgresseth the same. I *Ans.* Not to mention here the Magistrate's true sense of that *peaceable and orderly* living, I say, though the Magistrate be the proper judge of this *peaceable and orderly* deportment: in order to civil punishment, or exemption therefrom; yet Church-Judicatories are the only competent judges thereof, in reference to the exercise of the Ministrie: And it was in reference to this exercise of the Ministrie, that these Qualifications were here taken notice of.

2. It belongeth to the Church, or Church-Judicatories, to convey Ministerially the Office and Power unto Persons qualified, and to grant a Potestative Mission, whereby they become authorized to exercise the Ministerial function; as was seen above. But in the *Indulgence*, all this was done by the Magistrate immediately; the Council sent the Indulged to such and such places, as they thought fit, and they only clothed

clothed them with Authority for that effect; or did all, that Presbyteries do or ought to do, in the like cases. See what was said above upon the Acts of Indulgence granted July 27. 1666, *Page. 21.*

3. It is a part of the Power and Privilege of Church-Officers and Church-Judicatories, to loose Ministers relation unto a place, and to Plant and Transplant, to Place Ministers in Particular Charges, and to Transport them to others, as the good of the Church requirerh. And this we know was constantly practised by our Presbyteries, Synods and General Assemblies. But here in the *Indulgence*, all this was practised by the Council, without once consulting any Church-Judicatory whatsoever. They planted and transplanted according to their own pleasure, as we saw above, in several Instances, sending severals from one Church to another, & many from their own Churches unto others. See further our 2 *Remark* on the Kings Letter. It will not here be said, I suppose, That by the sentence of banishment, their relation to their former Charges was annulled: And though it were said and granted too (which yet cannot be) though it would follow that such were not properly transplanted, yet our argument would remaine strong; for there were others, whom the Council had Indulged to such and such places, and thereafter transported to other places, as they thought fit. And beside, as to all of them, it was the Council their deed alone, which did constitute them Ministers of such and such places, and so made up that relation: And if they should think, that they are not Formally Ministers of such places; they could not then say, that they were set as Overseers over these places by the Holy Ghost, as possibly they will; & they should also think themselves free of the burden of that Charge, and of the souls of the people, as not being committed to their Charge; and the people are not obliged to owne them, as their Ministers; and then they are called to consider, with what Conscience they can take the Stipend and Benefice, onely allowed by the Law of God to such as take on the cure of souls. And beside, whatever they think; yet the Council did designe and Formally intend their fixed relation unto these places, as proper Pastors thereof, for the Patrons were thereunto to be consulted, & their consent to be obtained, which according to the Established Law, is the way of admitting Formally such and such Persons, to be Ministers of such places; the other Formality of the Bishops Collation being dispensed with, as to its necessity, and only enjoined under a penalty, or they encouraged to seek it, by a farther favour, as to their stipend; and however, it was ordered, that Intimation should be made to the Bishops and Archbishops, when any Person was Indulged within their Diocies.

4. It is a part of the Power granted unto Church-Judicatories, to make Canons, and prescribe Rules, and to give Injunctions, concerning the Exercise of the Ministry, the Administration of the Ordinances of Christ, and the like; and this is that Diarctick power, acknowledged by all the Orthodox to belong to the Church-Judicatories; and we might confirme it here, if it were necessary. But in this Indulgence, we see the Magistrat assuming to himself this Power of making proper Church-Canons, giving Rules to regular Ministers in the Exercise of their Ministrie, and imposing such like Injunctions, as used to be prescribed and imposed, by the Judicatories of the Church, in former times. Of these Injunctions, we have had often times occasion to speak before, & need not repeat here what hath been said:

Nor need we insist on that againe, which is commonly said, *To wit.* That their accepting of the *Indulgence* hath no necessary connexion with their approving of this Power, to make such Canons, and to impose such Injunctions. For, as we have shown, this cannot be evited, and this one thing will abundantly evince it, *to wit.* If they had received this same or the like *Indulgence*, at the hands of the Prelates, (as this had been likewise more consonant to the established late Acts, before the Act of Supremacie was made) and if the Prelates had clogged the same supposed Favour with the same or the like Injunctions; had not their accepting of the *Indulgence*, accompanied with these Injunctions, been a granting of that power unto the Prelates, to make such Canons, and to give out such Injunctions and Restrictions? And if it had been so, as to the Prelates, why not here also, as to the Council?

5. Upon the same account, we finde by this *Indulgence*, that the Council hath assumed Power of exercising real Church Censures, such as Suspension from the exercise of their Ministrie, and total Deposition, or turning out, as they call it. See our first and 7. *Remarks* on the Kings Letter. This must be a great invasion on the Power of the Church; and by the *Indulgence*, this Power, granted by the King to the Council, is confirmed both in the King and in the Council: And who is not convinced how sad this is, when every one might see what invasions daily were made upon the Power of the Church by the Civil Magistrate; and therefore all were clearly called aloud to cry against this, and to stand and withstand, and do nothing that might contribute to fortifie them in their Usurpations, or to occasion their further Incroachment, which might have been forborne without sin. And sure I am, if these Brethren had forborn to accept of the *Indulgence*, as several others did refuse it, the occasion of this and many other Invasions had not been given, and Church Power had not been so formally usurped, as it hath been; nor the Magistrates so fixed in the possession thereof, as they are by such cedings.

III. *What Affinitie it hath with the Supremacie.*

Our third Head of Arguments against this *Indulgence*, is taken from its relation to, affinitie with, dependance upon, and confirmation by that woful Act of Supremacie, made by our *Parl.* 1669. And sure, all, who are tender of the Concernes of Christ's Crown, and of the Privileges of his Church, will have an utter detestation of and abhorrence at any course, which floweth from, is continued and confirmed by, and cannot stand without that Act, which with one dash doth dethrone our Lord, and spoile him of his Royal Prerogative, and his Church of all her Privileges. What occasion or rise the *Indulgence* gave unto the Act of Supremacie, and what a foundation it laid for more of that kind, and what a neer affinity and likenesse betwixt them, we have shown above, and need onely recapitular things here.

1. Had this *Indulgence* been utterly refused, we had never yet seen that Act of Supremacie; for the Council having granted the *Indulgence* upon the Kings Letter, contrary to many Acts of Parliament, knew no other way to salve themselves, but by framing this Act, which both secured them for times bypast, and against all hazard also, in going on in the same course, as they had begun, for the future. The grant of the *Indulgence* was never lawful, nor the granters secured by Law, until this.

this Act was made. How shall we then judge well of the *Indulgence*, that gave the necessary rise unto that prodigious Act?

2. The *Indulgence* it self would be still an illegitimate brood, notwithstanding of all that King and Council both did, were it not for the Act of Supremacy; for by the Act of Supremacie, that is now made a legal deed, which otherwise was directly against Law. What shall we then think of the *Indulgence*, that must be legitimate by such an Act? And what a possession that must be, that hath such an Act for its Groundright and Charter, let sober men judge.

3. The Indulged would, notwithstanding of all that is done by both King and Council, be still seditious Persons, in the account of the Law, and lye under hazard of the same, were it not for this Act, which alone secureth them from the lash of all Lawes, made for that end. This Act is their onely Right and Ground of Securitie, whereby they can plead themselves free from all that could be brought against them by foregoing Lawes. So that among other things, wherein the Indulged do now differ from all the Non-conforming Ministers, this is one, that the Indulged are under the Protection of the Supremacie, and lye in safteie under the winges thereof; whileas others have it not stretched over their heads, and so do not enjoy that chilling warmth, that is to be had thereunder.

4. This is further confirmed by all the Particulars, mentioned under the two foregoing Heads; for they all belong to this Supremacie, and are parts of the same; and the Supremacie is but one comprehensive, complicated and compounded Act of Usurpation of the Crown of Christ, as Head and King of his Church, and of the Power and Privileges belonging to the Church, and to the Officers of the House of God.

5. We saw before the same asserted by Worthy Mr *John Burnet*, in his Testimonie against the *Indulgence*, whose Argument is worth Consideration, and I shall here repeat it: To Settle, Enact, Emit Constitutions, Acts and Orders, concerning Matters, Meetings and Persons Ecclesiastical, according to Royal Pleasure, is the very Substante and Definition of his *Maj.* Supremacy, as it is explained by his Estates of Parliament. But the Act of his *Maj.* Royal Indulgence is only to Settle, Enact and Emit such Constitutions Acts and Orders, concerning Matters, Meetings and Persons Ecclesiastical according to Royal Pleasure. Therefore the Act of his *Maj.* Indulgence, is the substance and definition of his *Maj.* Supremacy, &c.

6. Seeing by what is said, it is apparent, that not onely is the Usurped Supremacy put in exercise, and confirmed in the hands of the Usurper, by the *Indulgence*; but also the formal asserting of the extravagant Supremacie, by a plaine Statute and Act of Parliament, explaining and confirming the same, is looked upon as necessary to support the *Indulgence*, and to keep it in legal being: It can not be well denied, that such, as have accepted of this *Indulgence*, have homologated this Supremacie, and contributed, by vertue of that acceptance, all their power to the fixing of this Usurpation; for more was not required of them for this end; and if they had refused the *Indulgence*, this Statutory establishment of the Supremacy had never been accounted necessary; nor possibly once thought upon.

7. As he who accepteth a benefite from a Person, which that Person cannot bestow but by an usurped Power, and doth formally flow from that Usurped Power, doth homologat by his acceptance that Usurped Power; So the Accepters of the *Indulgence*, from the King and Council, which they could not give but by the Usurped Supremacie,

and which formally and kindly floweth therefrom, cannot but, in so doing, homologate that Usurped Supremacy.

8. If this *Indulgence* had been granted by the Prelate of the Diocē, would not the acceptance thereof have homologated Prelates Usurpation, and been an acknowledgment thereof? Why then shall not the accepting of this *Indulgence*, when granted by the King and his Council, be an homologating of their Usurpation? Especially seeing the Usurped Power of the Prelate is but a branch of the Supremacy, and floweth therefrom, Prelates, as such having no Church-Power with us, but what is granted by the King by Vertue of the Supremacie, by the Statute Law of the Land. Wherefore if the accepting of the *Indulgence* at the hands of the Prelates, would have homologated the Usurpation, that yet flowed from the Supremacy, and consequently the Supremacy it self, though at a step further off; how is it imaginable, that the accepting of the *Indulgence* from the King and Council immediatly, shall not be an homologating of the Supremacie, which is the immediat roor and ground thereof?

9. Such as accepted of the Prelates Collation, whether to new places, or to the same places, where they had been, before the restauration of Prelacy, will I suppose be looked upon, as homologating, in that act, the Prelates Power, and consequently the Supremacie, from whence that Power floweth to the Prelat: And what difference is there. I pray, betwixt the Prelates Collation (which possibly was free of concomitant Instructions, Rules and Directions, how to regulate them in the Exercise of the Ministrie, than was the *Indulgence*) and the Councils Collation, as to the Fountaine, the Kings Supremacie, from whence both do flow? By vertue of Power descending from the Head to the Left arme, the Prelates, is the Episcopal Collation granted, and by vertue of Power descending from the same Head to the Right arme the Council, is the Council their Collation granted.

10. Who homologate a Supream Authoritie in the King over all Persons, and all Causes Ecclesiastick, by vertue whereof he may Settle, Enact and Emit such Constitutions, Acts and Orders, concerning the Persons imployed in the External Government of the Church, and concerning Meetings and Matters Ecclesiastick, as he in his Royal Wisdom shall think fit; they homologate the Supremacie: This is certaine; for this is the Supremacy, as appeareth by the Act explicatory: But so it is, that the Accepters of the *Indulgence* do homologate this Supream Authoritie in the King. Which I thus prove. Such Ecclesiastick Persons, as are willingly disposed of by the Supream Authoritie in the King over all Persons, and Causes Ecclesiastick, and goe to what places he by his Council appointeth, for the exercise of their Ministrie and of Church-Government, and withall receive Orders, Acts and Constitutions concerning Ecclesiastick Persons, to regulate them in the Exercise of their Ministrie and Government, made by him in Church affairs, according to his Royal Wisdom, by vertue of his Supream Authoritie; these do homologate the Supremacie. But so it is that the Accepters of the *Indulgence* have done this. Therefore, &c. The *Minor* is uncontrovertable, & certaine, from the Councils disposing of them, and ordering of them to such Kirks, as they pleased, and their yeelding thereunto, and accepting of Instructions, Orders, Acts and Constitutions, made by vertue of the Supremacie, to regulate them, in the exercise of their Ministrie: all which hath been cleared above. The *Major* is manifest from this, That to be willingly disposed of by a Power, is to homologate it; and so receive Instructions, Orders,

Orders, Acts and Constitutions from a Power, is to homologat it; By homologating a Power, I understand an acknowledgment of such a Power in such a Person, by a surable and answerable compliance therewith, and yeelding to it, or Acting under it: And this may be materially, as well as formally done, implicitly as well as explicitly, by the Intention of the deed, as well as by the Intention of the doer: As he who obeyeth an Usurper, and acteth under him, in some place of trust, and receiveth Instructions from him, for to regulate him, doth homologate that Usurped power, by his very deed, though he should hate the Usurper and the Usurpation both, and really wish he were thrust from his Usurpation altogether, and would possibly concur thereunto himself.

It cannot weaken this Argument to say, that the Indulged Persons never did nor will owne the Supremacy, but plainly disown it: For though I am ready to beleve this to be true; yet the Argument holdeth; for I speak not of a Positive, Explicit, Formal, Intentional and Expresse Homologating; but of a Virtual, Implicit, Material Homologating, and such as is included in the deed; and work it self, abstracting from the Intention of the Worker, which is but extrinseck and accidental, as to this: And that the accepting of the *Indulgence* is an homologating, and a virtual acknowledging of this Supremacy, is clear from what is said, though the Indulged should intend no such thing.

IV. How it is injurious unto the Power of the People.

A Fourth Ground of our dissatisfaction with the *Indulgence*, is the wrong, that is hereby done unto the People, as to their Power and Privilege of Free Election of their Pastor. In the accepting of the *Indulgence*, there was the accepting of a Charge of a Particular Flock, without the previous due Call, free Election, and Consent of the People: (this holdeth, as to such of the Indulged, as were sent to other Churches, than their own.) The meer Appointment, Order and Designation of the Civil Magistrat, was all the Ground of this Relation, and was the only thing that made them Pastors to such a people, together with the Consent of the Patron. This was a way of entrie unto a Pastoral Charge, that our Principles cannot assort with, wanting either precept or precedent in the pure primitive times. Our Divines have abundantly shown the necessity of the previous Call of the People, unto a Ministers Admission to a Charge. See Mr Gillespy in his *Miscel. Questions* Quest. 2. Nor need I hold forth the iniquitie of entering by Patrons, whereof our *Par.* 1649. were fully sensible, when the Church was restored to her Privilege, conforme to our *First Book of Discipline*, Chap. 4. *Concerning Ministers, and their lawful Election*; And to the *Second Book* Chap. 12. It will be here said possibly, That they obtained the full and unanimous consent of the people. But I *answere* (1.) I doubt if this was either universally sought, or obtained. (2.) Where it was had, it was but a meer blinde, and, to me, a meer prostituting of that Appointment and Order of Christ, rather than any conscientious Observation thereof. For (3. This call of the People ought to be a free Election and Choise, but here was no free Election left unto them; but whether they did consent or not, the Person designed by the Council was to be set over them. (4.) The free Election of the People should go before the Persons Designation to that Charge, and become the Foundation of his Relation to that Flock;

Flock; but here it was posteriour unto the Councils Designation, and was a meer precarious thing, coming in *ex post facto*. (5.) This Call and Election of the People was not in the least presupposed, as any way requisite, either in the Kings Letter, or Councils Nomination and Election. (6.) Nor did they make any mention hereof, when before the Council; nor make exception against the Councils Order or Collation, until this was had. (7.) Nor did they testify their Dissatisfaction with, or protest against, the unlawful usurped Interest of the Patron, and his necessarily prerequisite Consent. (8.) Did such as wanted this unanimous Call or Consent of the People, give back the Councils Warrant, as weak and insufficient?

2. I would ask, whether they look upon themselves, as the fixed Pastors of those particular Flocks and Churches, or not? If they own themselves for fixed Pastors, what is become of their relation to their Former Charges? They cannot be Pastors of both places, for we owne no Pluralities; nor can it be said, that the Councils meer Act did loose their Former Relation, and make it null. And whether they protested at their entrie to this new charge, that it was without prejudice to their Former Relation, when the Lord should open a free passage in his good Providence to returne, I know not. If they look not on themselves as fixed Pastors, then are they meer Curates, sent of the Council to those places, to preach and performe the other Acts of the Ministry, till further Order, or during their pleasure: And then they cannot be offended, if the people look not on them, as their Pastors; nor carry towards them, as such.

V. How Erastianisme is hereby established.

A Nother Ground of our Dissatisfaction with the *Indulgence*, and with the accepting thereof, is, that thereby *Erastianisme*, the professed Enemie unto and perfect destruction of all true Church-power and Church-jurisdiction, is established and fortified.

1. This is manifest from all the Particulars, mentioned above, under the *First*, *Second* and *Third* Heads, which need not here be repeated; for these are parts of *Erastian* Doctrine, which the Orthodox disowne, and our Church hath resisted and opposed from the beginning: and beside.

2. Hereby are the Magistrates confirmed in that Usurpation of being proper judges of Ministers Doctrine, even in the first Instance; that is, before any Church-Judicatory take cognition thereof, and passe a judgment thereupon. See our 8. *Remark*. upon the Kings Letter.

3. Hereby they are confirmed in this Usurpation, that Ministers may not preach in publick, or in privat, without Authority and Licence had from the Civil Magistrate. See our 12. and *last Remark*. upon the Kings Letter.

4. How this was confirmed and yeilded to by the Indulged, we saw above, in our Examination of *Mr H's* speech before the Council, *Anno 1669.* and of that Relation of the carriage and speeches of those, who were before the Council *Anno 1673.*

5. We were not ignorant, how from the very beginning of this Calastroph, and in the very *First Session of Parliament Anno 1661.* an exorbitant Supremacie in Church-affaires

affaires was acknowledged to belong to the King, in that, he was declared to be *Supreme Governour over, all Persons, and in all Causes*; beside what was presumptively asserted in other Acts of *Parl.* thereafter, as in the Act for the *National Synod*, and for the *Restoration of Prelacy*, and others: And how by all these, and other things considerable, it was manifest and undeniable, that *Eraastianisme* was in the ascendent, and that the designe of the Rulers was to subject all Church-power unto themselves, and to assume as much thereof into their own hands, as they thought fit, and to have the whole of it subordinate unto them. Now when this designe was open and above board, our very not-withstanding and not-opposing, in our Places and Stations, this *Eraastian* Designe, was a virtual ceding and yeelding unto these Invasions and Usurpations; how much more are they chargeable herewith, who willingly submitted unto the Magistrates Actual Usurpation of Church-Power; & by accepting of this *Indulgence*, did put them in Actual Possession of what was but notionally, and in the theorie, arrogat formerly, as to Non-conformists?

6. It is granted by some, and cannot well be denied by any, That the Magistrates principal designe, in granting the *Indulgence*, was the establishment of the *Eraastian Supremacie*: And if so, sure, it was the part of those, who accepted of the *Indulgence*, rather to have withstood this designe, at least by simple refusing of that, the accepting of which (as every one might have seen) would contribute unto this *Eraastian* designe, and put them in actual possession thereof. Whether the Magistrate himself doth look upon the Accepters, as hereby acknowledging his *Eraastian Supremacie*, or not, is not much to the purpose; seeing the acceptance, as circumstantial, was a virtual and reall enough acknowledgment and confirmation thereof: And, it is like, the Magistrate did designe no more, not regarding whether they should openly & professedly acknowledge such a thing, if he himself were confirmed & secured in the possession of that *Eraastian Usurped Power*.

But it will be said, That though it be granted, that the *Supremacie* is now in its exaltation, and that *Eraastianisme* is the great designe; and that such, as minded to be faithful, should not cede in the smallest of the Churches Rights, nor to the loosing of one pin of the Government: And that this *Eraastianisme* and *Supremacy* hath acted, outed and overturned, at its pleasure; and that the Magistrate, in this offer of the *Indulgence*, doth still act, according to *Eraastianisme*, and owne the same *Supremacie*, and intend its further establishment: Yet the Indulged did onely accept of a licence, which, when abstracted from its offensive circumstances, is a meer relaxation of the rigour of former Edicts.

To which I Answer. (1.) If this *Indulgence* did respect nothing but the Persons and Estates of Ministers, then it might be looked on as a meer relaxation of the rigiditie of former Edicts, under which they groaned: But it is past all denial, that this *Indulgence* relateth more, yea and Principally, unto their Office and function, and is designed (as is confessed) for the Establishment of an Usurped power over the Function and Ministrie; yea, and includeth an acquiescing and submission unto Acts, made and proposed by such, as confessedly act from a Principle of Usurpation, and that for the better Establishment of the same, & confirmation of themselves in the possession thereof; and therefore the accepting of the *Indulgence*, cannot but contribute to the iniquous ends, proposed by the Indulgers. (2. Whatsoever that licence (as it is called) may be, or be supposed to be, when abstracted

from its offensive circumstances; yet taken complexly with these circumstances, it must be condemned; and however in our imaginations, we may abstract it from these circumstances, yet we cannot do so in point of practice; seeing it is confessed, that the morality of actions do much (at least) depend upon circumstances.

7. This contrivance of *Erasianisme* being so notour and undeniable, the yeelding unto and accepting of the *Indulgence*, so conceived, so clogged, and restricted, as it was, cannot but be contributive unto the same; and a plaine (though not professed) helping forward of the designe. Sure, the refusing of the *Indulgence* had been a sensible defeating of the designe, and would have necessitated the designers, if so be they would still have prosecuted their Intendment (as is probable they would) to have taken other measures, and invented other meanes; how to have accomplished their ends; and this supposable defeat is sufficient to show, how suitable a *medium* this was unto the projected end. It cannot be said, for obviating of this, That this is but accidental, and a meer probability: for it hath a necessary connexion with the end, as not only experience hath proven; but the very nature of the thing evinceth, as is abundantly cleared above.

VI. How Prejudicial this is unto the good of the Church.

THE discovery of this will serve for another head of Arguments against the lawfulness of this *Indulgence*: for certainly that cannot be a way approved of God, which is not for the Edification of the Body; much less that, which is for its hurt & prejudice. Now that the *Indulgence* is of this nature, may hence appear.

1. Church-Historie sheweth, what hurt came to the Church by such a course as this, when *Arian* Emperours, by their own sole power thrust-out faithful & zealous and Orthodox Ministers; and put-in *Arian* hereticks in their places; and now by this *Indulgence*, the way is paved for the same Course: so that now the Magistrate hath no more to do, to get all the Ministry on his side, and to carry on some corrupt & erroneous designe, but to thrust-out honest faithful men, and put-in *brevi manu*, whom he will. Who will scruple at this now, after the *Indulged* men have thus broken the ice? and who will once question the Magistrates power to do this, seeing they have so sweetly submitted, in the beginning: *Turpius ejicitur quam non admittitur hospes*, it is better holding-out, than thrusting-out.

2. Our own History sheweth us, how noxious it was to our Church, when *K. James* obtained but so much, as to have an eminent and active hand, or a negative voice, directly or indirectly, in the planting of all the eminent places of the Land, especially of *Edinburgh*; though he never had the confidence to seek a liberty to do it *brevi manu*; but did it by collusion with the Commission of the Kirk, which was made to his mind: How quickly had he overturned all, if he had assumed the power to have transplanted Ministers, as he pleased; and if Ministers had complied with him therein, and upon his sole call, or act of Council, had left their own Charges, and gone to places, whither he sent them? And what would these worthies, who opposed all his designs; in maintainance of the Established Order of the Church, and of her Power and Privileges, if alive, now say, to see so many Ministers, under so many obligations to maintaine the Liberties of the Church, willingly obeying the Councils Call and Act?

3. If according to this Method, and the way now laid down, & put in practice, our Magistrates, in all time coming, should follow this course, and put away what Ministers they pleased from one place, and thrust others in where and when they pleased; and in all this should meet with nothing but sweet submission; how long should our Church enjoy purity? And how long should the Gospel be preached in power, in any eminent place in the Land? How long should Gospel freedom be kept up, & the Gospel flourish? And if all this should be, whom have we to thank therefore, but the Indulgence? Would not they have all doing, as they have done? Are not they a sad preparative? May not their example prove noxious to the following Generations? And whither shall we then cause our shame to go?

4. According to this Example, the Magistrate might quickly banish all purity out of the Kingdom, and turne all the Land over into Popery, by sending all the Orthodox Ministers to the Highlands, or to some one small and inconsiderable corner of the Land (according as in the late Act of *Indulgence* so many scores were cantonized to one or two Diocies) and suffering Papists to preach where they pleased, or fixing Popish Priests, in every Paroch. And if such a thing were intended, hath not the *Indulgence* broken the ice thereunto?

5. Nay, we see that in the very *Indulgence*, some such designe is carried on; for by it, the far greatest part of the Non-conforme Ministers were Cantonized and shut-up in twos or threes together, in one Corner of the Countrey, and all the rest of the Land was given over to the will of *Prelates*, *Papists*, or *Quakers*: And if all the Ministers named, had followed the example of others, what had become, ere this day, of the greatest part of the Land? Was then this *Indulgence* the thing, which the General good of the Church and Kingdom called for? Were the Indulged put in best capacitie by the *Indulgence*, to serve their Generation, according to the necessity of the day? Was this the only duty of the day? Or did the Lord call for nothing else? Well is it, that we have such a proof of the contrary, this day, legible upon the face of that Land; and that the very prisoners can declare some other thing.

6. It being beyond all doubt now, that the Assemblies of the Lord's people in Houses, or Fields, to partake of pure Ordinances, with full freedom of Conscience, hath been signally owned and blessed of the Lord; and hath proven a mean to spread the knowledge of God beyond any thing that appeared, in our best times, whereby the Lord preached from heaven to all, who would hear and understand it, that this way of preaching, even this way, was that wherein the Soul of God took pleasure, and to which he called all, who would be co-workers with him, this day, to help forward the Interest of his Crown and Kingdom. Now, when in despite of this signal appearance of God, and out of enmitie to the good done in these meetings, wayes of cruelty are fallen upon, to suppress utterly all these *Randezvous* of the Lord's Militia; and these coming short of effectuating the thing, Midianitish wiles are fallen upon, of which this of the *Indulgence* was the chiefe, of purpose to keep the Countrey free of these solemn occasions of the Lords Appearances; can it be thought to be the duty of the day, and that which the Lord is calling to, to contribute our concurrence unto these stratagemes of Satan, & welcome an *Indulgence*, devised of purpose to destroy the work of God? I leave the thoughts of this to themselves, when they are thinking of appearing before their judge.

7. I shall not insist on that yoke of bondage, in the matter of stipends, which

was hereby begun to be wreathed about the necks of Ministers; to the inexpressible hurt and prejudice of the Church. See what was remarked in the 4. place on the Kings Letter.

8. It will be more to our purpose, as in it self it is of greater moment, to consider how hereby a Path-way was made, to make all the Ministers of the Land, in all time coming, wholly subject unto the Council, even in all Matters Ecclesiastick, whether concerning Doctrine, Discipline, or Manners; For hereby they became wholly subject unto the Council, as being accountable only to them; and were so wholly at their Devotion, that they were to stay in the places, where they were set, only during their pleasure; and so might be couped from Kirk to Kirk (as some of them were) no otherwayes, than the Prelates Curates are, at the pleasure of the Prelate: Thus was the yce broken to the bringing of the Ministrie under perpetual Slaverie; and what should then become of the glorious Liberty of our Church?

9. Nay, as we saw above attested by open Printed Proclamations of the Council, there was, in this Indulgence, a base and sinful compacting for the same, which, to me, is the basest of Simoneie. A conditional accepting of the supposed favour, and, as it were, a formal barganing for it, by taking the liberty to preach and performe the work of the Ministrie, on sinful Conditions, even such Conditions, as contained a giving up of the Cause to the Supremacy, and the Erastian Designe, as hath been shown above. And what a preparative this was, let any judge. I know, the Indulged themselves will say, they are free of all compacting: And I shall not accuse them further than I know, or have ground: Yet this is certaine, that the Kings Letter mentioned such and such Instructions to be given to all the Indulged; & it is also certaine, that this Letter was not altogether unknown to them, And when the Instructions (which the Council, in plain Expressions, calleth, termes on which they granted the Indulgence, & the same was accepted) were tendered unto, and put in the hand of each of these in particular, who were called before the Council Anno 1673. I heard not of their expressing their Dissatisfaction with these Termes, so as to quite the benefite, or, as we say, to cast the bargane thereupon; And if all the Ministers, that shall ever hereafter be admitted to preach the Gospel, in Scotland, must follow this example, and give but an implicite consent unto these, or the like termes, imposed by the Council, where shall then our Gospel Liberty be? And what shall then become of the Liberty of our Church? And how shall the Ministers then be called the Servants of Christ, and not the Servants of Men?

10. By the very subjecting to the Councils Instructions, to regulat them in the exercise of their Ministrie; they become thereby as formally subject unto them, in Matters Ecclesiastick, as any inferior Civil-Officers, such as Sheriffs, Justices of Peace Baylies &c. who yet, it may be, shall as little observe all their Instructions, as the Indulged haue observed theirs this subjecting of the Ministrie, in its exercise, unto the Magistrate, is a manifest enslaving of the same, to the unspeakable prejudice of the Gospel, and hurt of the Church.

11. What prejudice it is to the Church, to want the free and full exercise of Discipline, & that in the lawful Courts of Christ, needeth not here to be told; And yet, in this Indulgence, there was an accepting of the exercise of the Ministrie, without the full exercise of Discipline, save what was to be had in a sinful way, by compli-
ance

ance with Prelacie; and so a tacite (at least) consent given unto this want. It will not be of advantage here to say, that the Field-Preachers or Non-indulged Ministers, have no Discipline, & yet preach: For all their preaching is *sub cruce*, not having so much as freedom to exercise any part of their Ministrie, and so are allowed of God to do all they can, when they cannot do all they would: and beside, it is allowed without ground; for with no lesse signal countenance, they exercise some Acts of Discipline, such as receiving of penitents, than they preach; and in both are countenanced as His Ambassadors. But the indulged are under the lee sheet of the Supremacie, having full peace, countenance and protection, as much, as in our best times, and when our Church was most flourishing; and yet dispense calmly with the want of Church-Discipline, in Presbyteries and Synods; and how some of their Sessions guide, and are constitute, is none of our Glory.

12. Nor needeth it be told, what prejudice will inevitably follow upon the want of Ordination, whereby a Succession of the Ministrie is kept up, and the word committed to faithful men, according to Christs Appointment, who may serve the Lord in the Work of the Gospel, in their Generation: How quickly, upon the want of this, a faithful Ministrie shall of necessity cease, every one may see: And yet the Indulged have accepted of the exercise of their Ministrie, on such termes, or in such a way, as doth utterly incapacitate them for going about the Necessary Work of Ordination. Their Transgressing their Bounds, and violating the Instructions upon their peril (if so be they do so, that they may ordaine some) in order to the keeping up of this Ordinance, is in so far commendable; but is not sufficient to expiate the guilt of accepting the *Indulgence*, which was thus clogged; as their whole relinquishing of the *Indulgence*, & betaking themselves to the Fields, with the rest of their Brethren, would prove a commendable after-wit; but would not say, that there was no evil, in their accepting of the *Indulgence*, but the contrary rather.

VII. *How hereby our Cause and Ground of Suffering is wronged.*

THE Lords good hand of Providence having so ordered it, that once a considerable Company were willing to endure Hardships, Want & Tribulation, for the Truths sake (and therefore choosed suffering rather than sin); which, howbeit it was upon some accounts sad and afflicting; yet upon the account, that the Cause of Christ was owned, the Work of Reformation not condemned, but accounted still the Work of the Lord, was no small matter of Joy: Though it might have been expected, that few or none of all the Ministers, that had seen the great Works of the Lord, should have so relinquished the Interest of Christ, and embraced what once they had abjured; yet we ought to bless the Lord, that so many abode steadfast in the day of Temptation. But how joyful so ever it was to see such a goodly Company, adhering to their Principles, and fully following the Lord; it cannot but be as sad and afflicting, upon the other hand, to see this goodly Bulk wretchedly broken, and to see men stepping off, and that such Men, and so many such, and that after such a way, as cannot but be accounted a falling off from formerly received Principles, and from the Cause and Ground of our Sufferings. Now that the

Embracers of this *Indulgence* are justly chargable herewith, may appear from these Particulars.

1. It was a part of the Reformation, which, through the special goodness of God, our Church at length, after long wrestling, attained to, that the people should be restored to their Right and Privilege of Calling, and making a free Choise of their own Pastors, according to the example of the pure and primitive Church: And it was because they would not renounce this way of entrie, that so many Ministers were thrust out from their Congregations, by the Act of Council at *Glasgow*. But in the *Indulgence*, there was an entering into the Pastoral Charge of a people, upon the Act and Call or Order of Council, without this Free and Full Election of the people. The Nominal Call, that was precariously had thereafter, as to some, was but a mock-call, and no foundation of their Relation unto these places, as hath been seen. And how the Councils Act and Order was exclusive thereof is manifest, and confirmed by the Instance of *Mr Weer's* Process. Sure, as the Election here was null, there being none to choose upon, and the Call prelimited, because the Councils Order did set such an indulged Man over them, whether they would, or not; so the making a shew of seeking or of getting a Call from the people, after the Ground of the Relation was already laid, was the exposing of that Order of Christs to ludibrie.

2. Multitudes of the Non-conforme Ministers were ejected, and cast-out of their Places and Congregations, because they would not acknowledge the Power and Interest of Patrons, nor accept of their Presentations unto Flocks: But in this *Indulgence*, as we saw above, the Interest of Patrons is reserved entire: Though they should say, That they fought no Presentations from Patrons, nor had they any active hand therein, it will not much avail: For even several of the ejected Ministers might have been free of ejection, if they could in Conscience have yielded to so much, and acquiesced in this, that the Patron should have signified to the Bishop his presenting of such a Person, and that without his expresse Consent, or Formal Acceptance thereof: Yea how many had the Presentation willingly and cheerfully offered unto them undesired?

3. It is the chiefe Corner stone of our Reformation, and the fundamental point, whereupon all the wrestlings, and sufferings of our Church from the beginning have been stated, *viz.* That Christ is the alone Head of the Church: But by the *Indulgence* another head is acknowledged beside Him; when thereby it was declared, that the Indulged held not their Ministrie of Christ alone: as we saw above on the first head, and first particular thereof.

4. So by the rest of the Particulars, mentioned under that head, we see how many wayes, there was, in this *Indulgence*, a defection from former Principles, and a falling off from our grounds, all which we need not here repeat.

5. We fall from our Principles, and from the cause, upon which our sufferings are stated; when we cede and yeeld to Adversaries, seeking to overthrow the pillars and grounds of Presbyterian Government: And in how many Particulars Presbyterian Principles are, by this *Indulgence*, receded from, we have seen above, in the 2 head.

6. It hath been the Lot of the Church of *Scotland*, from the very beginning, to be put to wrestle against the Powers of the Earth, encroaching upon the Prerogatives of

of Jesus Christ, and the Privileges of his Church; and in contending for the same, against all such Usurpation, did the faithfulness and steadfastness of our worthie & renowned Predecessours appear and shine forth; and upon the account of their faithful adhering to the Truth, and bearing witness against all Usurpations, made upon the Rights of the Church, and on the Jurisdiction of Christ, sole King of Zion; and for declining Judicatories acting by usurped Authorities, were they all alongs put to suffer in their Freedom, Persons, Goods &c. by Tossings, Citations, Letters of Horning, Confinements, Imprisonments, Confiscation of goods, Relinquishments, Sentences unto death, and Banishments. But now, what a falling off this ground, ceding to Usurpations, Homologating of the Supremacie, & Establishment of *Erastianisme* is in the *Indulgence*, is manifest from the Particulars mentioned under the 3. and 5. head.

7. We need not forget, what was one maine ground of the actings of our worthie and valiant Predecessours, in the yeers 1637. and 1638. viz. That Ecclesiastick causes should be determined by Lawful Ecclesiastick Judicatories, and Civil causes by Parliaments and other Civil Judicatories. But to Homologate a Power in the Civil Magistrature, as such, to cognosce upon, and judge in Church affairs, immediatly and formally, is to condemne all these actings, and all the actings of Church and State since, upon that ground; and a plaine relinquishing of that foundation. And that by the accepting of the *Indulgence*, such a power is acknowledged to be competent to the Civil Magistrature, as such, hath been manifested above, in several Particulars, Let us here but name that one Instance of the Councils sole judging of the fitness and Qualifications of a Person for such or such a charge, in reference to his setting there, as Pastor of the place; which is an Ecclesiastick cause, and hath been alwayes so accounted. But it will be said, No man needs question their abilities, some having been Ministers, in the most eminent places of the Kingdom. For answer. I shall not question their abilities, though it may be, the carriage of some of them hath been such, since this defection began, as would make a Conscientious Church-Judicatory not a little averse from admitting of them within their bounds, if the Acts of our General Assemblies, by which they stand censurable, were in any regarde. But however, the Civil Magistrature is here made sole competent judge of this fitness; and by what right he hath appointed these to go to the places, particularly designed, he may appoint others to go to such places, for which no Church-Judicatory, acting conscientiously, would judge them Qualified: And who can challenge them upon this account, seeing they are sole judges, themselves?

8. In King *James* his dayes, several faithful and honest Ministers were banished from their own Churches, and confined in other places of the Land, and seeing no hope of getting the Civil Sentence taken off, were necessitate to accept of a call to serve the Lord, in the places where they were confined; but we never finde, that they took the Charge of such or such a Flock, upon the Edict or Act of Council, enjoining them thereunto.

9. Who ever heard before, in our Church, Ministers comparing before the Privie Council, and there receiving Directions, Instructions, Rules and Canons; directing them, how to regulate themselves in the exercise of their Ministerial Function? And when the Indulged Persons did thus, who can assoile them from a plaine Defection

Defection from our Cause and Principles? Put the case, that some Ministers had done so in the Year 1649. how would they have been looked upon by our General Assembly? Or if our Parliament and Council Anno 1648. had turned out such as were against the *Duk's Engagement*, and thereafter had ordered them; to go to such and such places of the Land, as they thought fit, giving them withall such Instructions, as here were given to the Indulged, if these Ministers had carried but just, as our Indulged did, I leave to all to judge, whether or not they had been looked upon, as Deserters of our Cause.

10. We know what sufferings those faithful men underwent, when after so long imprisonment they were at length condemned at *Linlithgow Anno 1606.* for declining of the Privie Council, when about to judge them in the matter of a meeting kept, or offered rather to be kept, at *Aberdeen*: But now we finde severals Indulged called before the Privie Council, there to be judged concerning their Baptizing of some Children within the Covenant; a matter no less unquestionably Ecclesiastick, than was that meeting at *Aberdeen*; and instead of giving-in a Declina-ture, we heard of nothing, but of a simple excuse, that they had not seen those Orders, plainly showing, that if they had seen them, they had obeyed them: was not this a manifest defection from our Principles and Cause?

11. I might mention under this Head, the Indulged persons their forsaking and laying aside, at the command or desire of the Council, that useful and commendable piece of our Reformation; I mean, the Lectures, or Explication of the Scriptures; against which nothing can be supposed to move our Adversaries, but onely that it is a piece of Reformation; yea the only remaining monument of that blessed work, all which they abhorre.

12. We are engaged, as will not be denied, against Prelacy; and yet the Indulged did virtually engage to support that, which they stand obliged to pull down, by receiving of these Injunctions, which ordered them to do many things, tending to the strengthening of the Prelatical Invasion: Of which more particularly in the following Head.

VIII. *How the hands of Prelates are hereby strengthened.*

Considering how we stand engaged against Prelates and Prelacie, every sinful Course, that hath a tendencie to strengthen their hands, and to fix them in their tyrannical Usurpations over the Church, should be so much more abhorred by us; Yea, what otherwayes might be lawfully done, in this case, should be wholly forborne. We shall therefore take notice of the Advantages given to Prelacy by this *Indulgence*. As.

1. Not to mention the open door, that is left unto them, to accept of the Prelates Collation. nor the encouragement they have unto the seeking and obtaining of this from the Bishop, in and by this *Indulgence*; we may take notice of this, That hereby they put themselves in prison, and the key of their Prison, door is in the Prelates hands; for without licence, granted by the Bishop of the Diocie, they may not go without the bounds of their confinement. And, sure, as this is no small disadvantage to themselves, but a manifest exposing of themselves unto temptation; so it is a great power and advantage granted to the Prelate over them; which slavery and

and bondage they had been free of, if refusing the *Indulgence*, they had remained in the same Condition with the rest of their Non-Indulged Brethren.

2. There is in the accepting of the *Indulgence*, a voluntarie with-drawing of an helping hand from the greatest part of the Land, groaning under the Tyranny of Prelacy; and a leaving of the same unto the will and pleasure of the Prelates and of their Curates; for hereby they willingly did give up themselves to be inclosed within their severall designed and limited places, and were content their Ministry should be their confined, let the necessity of the Church be what it would, or could be. Thus, as to them, the Prelates, and their Curats were left in the peaceable possession of all the rest of the Land, which was no small advantage, seeing they were secured as to them, in all time coming, and had no ground to fear, that they should lessen their Kingdom, and beat-up their quarters, with Field & House-Meetings, as others Non-Indulged did, and are doing, to the Glory of God, & to our Comfort.

3. Not to mention the friendly and brotherly love and correspondence, that some have observed betwixt some of the Indulged, and their neighbour Hirelings, who are under the Prelates the general deadness and slackness as to any zeal against the Prelates and their wicked courses, which is commonly observed, wherever the *Indulgence* is, is no small proof of the advantage, which Prelates and Prelacie have had by the *Indulgence*: Prelates themselves will possibly say, that one field Conventicle hath done them and their cause more prejudice, than many preachings of all the Indulged men: Though I am far from thinking, that the preachings of the Indulged; have any direct tendencie to strengthen the Course of Prelacie; yet what I have said being generally observed to be true, themselves are concerned to search, whence and how it cometh to passe, that it is so; as also, how it is that so many observe a greater keenness in them, against the field preachers, than against the Prelates; yea and the Supremacy, even in their Sermons.

4. It may have some weight, as to this, to consider, how by their accepting of the *Indulgence*, which floweth from the Supremacie, the Prelates are ready to look upon themselves as justified, in accepting of Prelacie from that same Supremacie, for, may they think, These men cannot blame us for acquiescing unto the determination of the King, acting by vertue of his Supremacy in Church-affairs, and over all Church-Persons, and accepting of that Charge and Place, which is given to us, in the Church, from him, who hath full power to dispose of Ecclesiastick Persons, as he will; seeing they themselves have acquiesced unto the determination of the King; acting by vertue of his Supremacie over Church-Persons, and accepted of what charge and place in the Church he thought fit to give them, and took their Instructions, to boot.

5. In accepting of the Instructions, they virtually engaged themselves to several things, which could not but strengthen the hands of the Prelates and their Curates. As (1.) To admit none of the people, who live under Curates, unto their Sermons. (2.) Nor to admit them to their Communions, without the allowance of the Curates. (3.) Nor to baptize their Children, without the same allowance. (4.) Nor to marry any, living within their bounds, without the said allowance, if the place be not vacant. (5.) They are ordered also to observe Presbyteries and Synods, which are now wholly Prelatical. (6.) Matters of Discipline and Censure, which usually

came before Presbyteries and Synods, are ordered to run in the same channel. By all which (not to mention their paying of dues to the Clerks of those Episcopal Meetings, which was also enjoined) it is obvious and plaine, how the hand of the Prelates and their Curates were to be strengthened; and if these Orders had been punctually observed, themselves, I hope, will grant, that hereby the hands of these Adversaries had been strengthened; and if so, sure I am, their receiving of these Injunctions, and of their licence upon condition of observing them, was a virtual engaging of themselves hereunto.

IX. *How it is against our Covenants.*

I Hope, it will be granted, that the obligations of the Covenants, Vowes and Solemne Engagements are upon us; and that I need do no more here, than show, wherein the accepting of this *Indulgence* was against our Covenants; and this is to me manifest from these Particulars.

1. It is a chiefe part of that Religion, and head of that Doctrine, that we are obliged by all our Covenants and Vowes to defend, *viz.* That Christ is sole King and Head of His Church, which is His House and Kingdome; and consequently, we are obliged to do nothing, that may wrong His Right, and entrench upon His Royal Prerogatives. But what wrongs the accepting of this *Indulgence* carrieth alongs with it, against the Royal Prerogatives of Christ, as sole Head and King of His Church, we have seen above, under the *first Head*, and we need not here repeat them.

2. We are obliged by our Covenants to defend and own Presbyterian Government, as is granted by all: but in how many particulars this *Indulgence* crosseth the principles of Prebyterian Government, we have seen above, under the *Second Head*; and as to all these particulars our Covenants are violated.

3. How we are engaged by our Covenant against Prelacy, the *second Article* of the *Solemne League and Covenant* can tell us; and how many wayes the accepting of this *Indulgence*, did contribute expressly or virtually, unto the strengthening of Prelacy, we saw above, under the foregoing *Eight Head*: And it is past all question, that these particulars there mentioned are utterly inconsistent with an *Endeavour to extirpat Prelacie*.

4. We cannot be ignorant, that in the *Solemne Acknowledgment of sins, and Engagement to duties*, we vowed and swore to study and endeavour to preserve Religion in purity, against error &c. and particularly against *Erasianisme*, in these words, *Because many have of late laboured to supplant the liberties of the Kirk, we shall maintaine and defend the Kirk of Scotland in all her Liberties and Privileges, against all who shall oppose & undermine the same, or encroach thereupon, under any pretext whatsoever.* And certaine it is, that *Erasianisme* was never so regnant in *Scotland*, as it is, and hath been, since this Catastrophe began, and that the Liberties and Privileges of the Church are not only now opposed, encroached upon, and undermined, but overturned and quite taken away. Now, how became it all, who minded faithfulness and steadfastness in their Covenant, to stand fast in this Particular, and be tender of all the Privileges of the Church, and to guard against very thing, which might contribute in the least, or be justly interpreted to contribute unto this Invasion, or prove a consent thereunto?

to? But on the other hand, in how many Particulars, the accepters of the *Indulgence* stand guilty here, hath been shown above, and may be seen under the *Third* and *First heads*.

5. We are expressly bound by our Covenants, not to suffer ourselves Directly, or Indirectly, by whatsoever Combination, Persuasion, Suggestion, Allurement, or Terrour, to be divided or withdrawn from our blessed Union and Conjunction, whether to make defection to the contrary Party, or to give ourselves to a detestable Indifferency or Neutrality. But, now, as to this *Indulgence*, what a divisive motion it was, is notour enough; and it was, by the confession of some of the chiefe of the Indulgers themselves, said to be intended for that end; and beside this, the thing it self speaketh out this with a loud voice. How manifest and great a breach is hereby made among the suffering remnant, is beyond all denial; and how great, consequently, and manifest the breach of Covenant is, upon this account, is Alas! too obvious and plaine.

X. *How hereby the condemne themselves.*

THIS Consideration may also furnish us with another head of Arguments against this *Indulgence*. That the accepters thereof have thereby, in several Particulars, condemned themselves, as to their former Principles and Practices: And this Consideration may be looked upon, as an *Argumentum ad hominem*, as it is called: An argument, that may militate against them. Now this self contradiction of theirs appeareth in these Particulars.

1. I shall suppose, that several of them at least (for I love to judge the best) were no Enemies to Field and House-Meetings, howbeit condemned by the Law; and that possible some of them did preach sometimes at such meetings; though the Qualification, required in the Kings Letter, and presumed by the Council to be in them, *to wit*, of living *peacably and orderly*, would say some other thing. And if they did approve of these Meetings, and of that way of preaching, for spreading of the Gospel, and doing good to the suffering Church of *Scotland*; they could not but, in so far, condemne all courses and wayes taken, or to be taken, of purpose to hinder that good work; and consequently condemne the *Indulgence*, which was manifestly contrived for that end. But now in accepting of the *Indulgence*, they have approved what formerly they condemned, and have condemned what formerly they approved.

2. They all, I suppose, do condemne the Supremacie, as an Usurpation, not to be allowed; for I never heard of any of them, save one, of another judgment, in that particular. But in accepting of the *Indulgence*, they accept of that, which purely floweth from the Supremacie, and which had never been, if the Supremacy had not been usurped, and which hath no legal being but by the Supremacie and its explicatory Act, which is all their legal ground of security, as hath been manifested above: And therefore do Homologate, and virtually approve of that, (as was manifested under the 3. Head, which they have condemned; and so have acted inconsequentially to their own Principles.

3. I likewise suppose, that they condemne the entry of the *Curates*, who have entered by the Prelates: And whatever accidental differences may be betwixt their

entry, and the entry of the Curats; yet in this maine and Principal ground; whereupon both are to be condemned, they agree; *scilicet*. That the entry of both is founded upon the Supremacie: For the Prelates have their power in the Church from the Supremacie: and so doth the Council act in Church affairs by vertue of power, flowing from the King, as Supream in Church-affairs; and Curats enter immediately by the Prelates, and the Indulged enter immediately by the Council; and both enter mediately by the Supremacie, but with this difference, that the Conveyance seemeth to be more Ecclesiastick, as to the Curats; Prelats, as such, being supposed at least, Ecclesiastick Persons, and so called; than it is as to the Indulged, the Council neither really, nor nominally being a Church-Judicatory.

4. They formerly refused to stay with their Charges, by vertue of a Presentation of the Patron, who possibly would have granted it undesired; and yet now they have accepted the same Charges, and some have accepted of other Charges, not without the Consent of the Parrons, according to the standing Law; and the same is expressly mentioned, as had and obtained by the Council, in order to their Legal Establishment. In so far therefore, they cannot but have condemned themselves and their former Principles and Practice.

5. We know how many of these same Brethren refused the Accommodation, that was offered by B. Lightoun; and therefore would not joyn nor concur with the Prelates, or their Curats, in their Presbyteries and Synods; and yet with the *Indulgence*, which they embraced, was this, among other Instructions, given, that they should repair to these Meetings, and referre Causes, usually referable, thereunto; and though they did not obey the said Injunctions; yet their receiving of them, at the Councils Bar, was a virtual Approbation, yea and a promise of performance; and that so much the more, that the favour was offered upon these termes, as the Council expressly declared. But further, we may draw a parallel here, whereby it may distinctly appear, that their refusing of the Benefite, offered by the *Accommodation*, did condemne their accepting of the Benefite, offered by the *Indulgence*: As (1.) as the exercise of the Ministrie in preaching is a part of the Ministerial Function; so is the exercise of Discipline. (2.) As the one exercise doth natively and originally flow from the Appointment of Christ, and Power given by Him; so doth the other. (3.) As it is unlawful to acknowledge and submit to the Usurpation of Prelates, in the exercise of Discipline; so it is unlawful to acknowledge or submit to the Usurpation of the Council, in the exercise of other parts of the Ministerial Function: (4.) As in following the *Indulgence*, we may possibly imagine, that we act by vertue of our Ordination, solely and purely; so in sitting in Presbyteries, we may likewise imagine, that we act by vertue of our first Ordination. (5.) As the Interposition, or Intervention of the Prelats Usurpation altereth the current of the exercise of Discipline; so doth the Interposition or Intervention of the Magistrate Usurpation alter the current of the Exercise of Preaching &c. (6.) As in the exercise of Discipline, in those Meetings, the Acceptor of the *Accommodation* would have yeelded himself up to be accountable to the Prelat; so, in the exercise of the Ministrie, the Acceptor of the *Indulgence* yeeldeth himself up to be accountable to the Magistrate, who gave him these Instructions; in so far as concerneth these: Yea, in the offer of the *Accommodation*, there was this advantage, That the Acceptor had full Liberty granted to him, at his entry to these Meetings, to declare, that he did not renounce his own private Opinion anent Church-Government; and to enter his Declaration in what forme he pleased: But the

Acceptor

Acceptor of the *Indulgence* had no such Liberty granted to him, though the deed was as manifestly a compliance with *Eraſtianiſme*, as the other had been with *Prelacie*. But it will be ſaid, that the maine ground of ſcrupling at the *Accommodation*, was, that theſe Meetings were not true *Presbyterial Meetings*, theſe being diſcharged by Authority, and all their warrant in Law removed, and thoſe new meetings being enjoined for eſtabliſhment of *Prelacie*, on which they were wholly to depend. I anſwer, I am not ſeeking to weaken any ground of ſcruple, which theſe Brethren had againſt the offered *Accommodation*; but am only ſhowing, that what grounds moved them to ſcruple at the *Accommodation*, theſe ſame ſhould have prevailed with them, to ſcruple at the *Indulgence*; and therefore ſhall hold forth the Parallel of the two Caſes, even as to this ground: So that (1.) As no act of Civil Authority can lawfully depoſe a Miniſter from the *Jus* and Right of preaching; ſo neither from the *Jus* and Right of exerciſing Diſcipline. (2.) As Civil Authority can only impede the Actual exerciſe of the one, in ſuch or ſuch a particular place; ſo only can it impede the Actual exerciſe of the other. (3.) Civil Authority could not take away the *Jus* of *Presbyterial Meetings*, but only impede their exerciſe; as Civil Authority could not take away the *Jus* of a Miniſters preaching, as Paſtor over ſuch a Charge; but only impede the exerciſe of that Function. (4.) As notwithstanding of all that the Civil Authority did, Miniſters retained a fundamental Right to exerce the Office of a Miniſter, in their ſeveral Congregations; ſo, notwithstanding of what the Magiſtrates did, they retained a fundamental Power and Right to meet in *Presbyterial Aſſemblies* for the exerciſe of Diſcipline. (5.) If yet, notwithstanding of this, *Presbyterial meetings* are ſaid to be quite overturned, by the Magiſtrates diſcharge, and caſſing the Lawes made for the eſtabliſhment thereof; why may not alſo the Miniſters Relation to ſuch a flock as Paſtor thereof, be ſaid to be annulled by the Magiſtrates Act, diſcharging him to preach there, and caſſing the Law eſtabliſhing the right way of entry by Free Election of the People, without Preſentation of the Patron? (6.) And if after what hath been done by the Magiſtrats, in taking away the Old *Presbyteries* with their legal Ground, any new Meetings that are, being appointed for eſtabliſhing of *Prelacy*, be *Prelatical Meetings*; why may not alſo this new Paſtoral Charge, being appointed by the Magiſtrates, for Eſtabliſhment of *Eraſtianiſme*, after all that hath been done, in taking away the Old Relation with its legal ground, be an *Eraſtian Relation*; and conſequently as much to be ſcrupled at, as theſe Meetings?

6. No doubt, theſe Brethren would have ſcrupled to have taken the Biſhops *Collation*: And in accepting of the *Indulgence*, I judge, they have condemned themſelves in this: For whatever Reaſons could have moved to have ſcrupled *that*, the ſame, or the like ſhould have moved them to have ſcrupled *this*; as will appear by the parallel, in theſe Particulars, (1.) If the Indulged think that the *Indulgence* is but a partial Reſtitution of the Liberty, whereof he was totally deprived; ſo the Miniſter, that accepteth of the *Prelats Collation*, may judge and ſay, that it includeth not Ordination, for he was an ordained Miniſter before; but is only a granting of Liberty, for the free exerciſe of the Miniſtrie. And he may think, that by no reaſon he can be conſtrued to acknowledge more, as well, as the Indulged Miniſter may think. (2.) As he, who ſubmitteth to *Collation*, acknowledgeth and preferreth the *Prelate*, as a proper Miniſter of Jeſus Chriſt; ſo he, who ſubmitteth to the *Indulgence*, acknowledgeth the Magiſtrate, or the Council to be the proper Subject of Formal Church-Power, which is tantamount to the making of them Miniſters of

Jesus Christ; yea, which is worse, he ascribeth unto the Magistrate; that Architectonick Power in Church-Matters, which is proper to Christ, the only Head of His Church. (3.) As in *Collation* there is a formal acceptance, a direct Submission and Recognizance and as significant a Transaction, as if the Bishop did expressly stipulate, and the other Consent and Promise; so in the *Indulgence*, (as hath been cleared above) there is a formal Acceptance, and a plaine Submission and Recognizance; and as Significant a Transaction (if the Council be to be beleaved) as if the Council did expressly stipulate, and the other Consent and Promise. (4.) Suppose the Prelate should send to an outted Minister a warrant, licensing him to go to another Church, than his own (I state the Supposition thus, in case any should think there is a Difference betwixt a *Collation*, and such a *Licence*) would the outted Minister, or any of those, who are now Indulged, accept of the same, and upon that sole Ground, look upon himself as Minister of such a place? If not, why did they accept of such a *Licence* from the Council?

XI. *How thereby the Meetings of Gods People are prejudged.*

IF the Indulged Ministers be not real Enemies to, and utterly dissatisfied with the Assemblings of Gods People in Houses, or in the Fields, against which the rage of Rulers hath appeared so much, by terrible Acts and Proclamations, and more terrible Executions, (as I desire to think they are not) it will easily be granted, that if their accepting of the *Indulgence*, be really Prejudicial unto the carrying on of the Work of God, in and by these Meetings, nicknamed *Conventicles*; or if it be found, that by the accepting of the *Indulgence*, they have contributed unto suppressing of these Meetings: and consequently, that interpretatively they may be charged in part with the Severities, exercised against the same, if, I say, this be made probable and likely, we will have, upon this account, a new Head of Arguments against the accepting of this *Indulgence*, which deserve some Consideration here.

What have been the Tossings, Harassings, Afflictions, Vexations and Sufferings, that the Servants and People of God have met with: because of their following of this Necessary and Signally blessed Duty, none of the Inhabitants of the Land can beignorant of; and the Jailours can abundantly witness unto this very day, together with the Barbarous Souldiers, who readily did and do put in execution the cruel Commands of their enraged Masters: And it would be too long and too Tragical an Historie to make a full and faithful relation of the same. It would be too tedious also to make mention only of all the Acts, Edicts, Proclamations and other things of that kinde, that have been made and emitted against the said Meetings, breathing forth nothing but the height of cruelty and rage, imposing exorbitant fines upon all Persons found at those Meetings, threatening death to the Ministers; giving encouragement to Souldiers to apprehend the hearers, by the promise of their fines and elscheats, and to apprehend some certain Ministers by the Promise of two thousand Merks; and to apprehend all others, preaching at such Meetings by the Promise of one thousand Merks, besides other rewards. It would likewise prove too long, to give but an account of the Letters of Intercommuning, against multitudes both of Ministers and Professours, simply upon this account,

Issued

Dated Aug. 6. 1675. Whereby all the Subjects were prohibited to Refet, Supply or Intercommune with any of the Persons therein mentioned, or to have intelligence with them by Word, Write, or Message; or furnish them with Meat, Drink, Houfe, Harbour, Viſtual, or any other thing uſeful, under the paine of being reputed airt and part with them, in the Crimes of Rebellion mentioned, and purſued therefore with all rigour. Only, from all theſe it is manifeſt, what an eye-ſore theſe Meetings have been, and yet are unto the Rulers, and with what edge and eagernels they have laboured by all meanes poſſible, to ſuppreſs and quite deſtroy the ſame.

This premiſed, in order to our Deſigne here, we deſire that theſe following Particulars may be pondered.

1. It hath been manifeſt above, both from the Kings Letter and other Particulars, beſide the notoriety of the thing it ſelf, that the *Indulgence* was contrived of purpoſe, for this ſpecial end, among others to bear down and extinguiſh theſe Meetings, nicknamed Conventicles.

2. It is certaine, that all ſuch, as have accepted of the *Indulgence*, have for the moſt part laid themſelves wholly aſide from this neceſſary work of the Lord: this day, and have received a Letter of eale from this troubleſome and hazardous employement of carrying the newes of the Goſpel, from mountaine to hill; (to which the Lord is calling aloud, this day, and graciously encouraging by his wonderful bleſſing the labours of theſe few, who yet venture) and have given themſelves to reſt, under the covering of the Supremacy.

3. It is likewiſe manifeſt, that if all the reſt of the Miniſters, named in the Councils Acts, had done as they have done, and had accepted of that ſuppoſed favour, and ſubmitted unto their Order of *Indulgence* and Confinement, there had been few left to have carried on that great work of the day, which appeareth to be the work, that God is in a ſpecial manner calling unto.

4. If all had reſuſed to accept of that *Indulgence*, and had concurred with one ſhoulder to carry on that great and neceſſary work of the Lord, the Rulers had been utterly fruſtrat in their deſigne of baniſhing theſe Solemne Aſſemblies, theſe Royal Rendezvous of Chriſts militia, and theſe ſolemne occaſions of the Lords appearing in the power of his grace, out of the Land: And, on the other hand, the accepting of the *Indulgence* hath encouraged them in their wicked Purpoſe, fortified them in their Reſolution, and animated them unto a following forth of their Deſigne, by all their cruel Acts and bloody Executions.

5. By accepting of the *Indulgence*, not only have the Accepters laid themſelves aſide from this neceſſary and bleſſed Work; but likewiſe all theſe people, over whom they are ſet by the Council, are withheld or withdrawn from waiting upon the Lord, at theſe bleſſed and wonderfully countenanced Occaſions. Whereby the Followers of the Lord are broken, divided, and weakened, and ſo become a more ready prey unto the Adverſary: For

6. If all the outred Miniſters had faithfully and diligently gone about this Work, and had, for that end, divided themſelves thorow the Land, the work had been more ſucceſſful, the Followers of the Lord had multiplied, and had remained unite in one intire Body; the Adverſaries had been put to a demurre, and had not gote ſuch Advantage, as now they have gote; and the people of the Lord had had more Freedom

dom to serve him, and had been more secured from Danger: Whereas now, when reduced to a few number, their Assemblings are the more laid open unto the persecution, and fiery pursuite of Rulers, and exposed more to hazards and grievous Difficulties, as experience hath proven.

7. Wherefore, seeing by accepting of and submitting to this *Indulgence*, there is a contributing of a concurrence with the Rulers, in their wicked Designe of banishing all these Meetings out of the Land, which manifestly had been defeat by a plaine & positive refusal of that supposed favour; and seeing the same is so inconsistent with the keeping up of these Meetings, and infallibly effectuateth a relinquishing of them by many, and a diminishing of their number; it is undeniable that the Accepters of this *Indulgence* have, in so far, and upon the matter, condemned all those Meetings; and consequently approven all the Opprobrious and false Epithets given unto them, and persecution made against them by the Rulers.

8. Having thus exposed the residue of the faithful of the land, (who through grace are resolved to follow the Lord with full purpose of heart); unto the surie of the Adversaire, They become interpretatively guilty of and accessorie to all the Cruelties and Barbarities, used and exercised upon Ministers and Professours, for adhering unto that way.

These things might be further enlarged and exaggerated; but I chouse only to mention them, and proceed,

XII. *How Scandalous and Offensive it is.*

The reall ground of Offence, that was in the accepting of this *Indulgence*, and the Scandal that was thereby given to one and other, is valide enough alone to militate against it, and sufficient to condemne it, unto all, who understand the nature of Scandal, and the dreadfulness of the sin of giving scandal by any thing we do, whether as to Matter, or Manner; and who remember what Christ and His Apostles have said of this *Matth. 18: 6, 7, 8, 9.* with the Parallel Places *Mark 9: 42.* and *Luk. 17: 1, 2. Rom. 14.* throughout *1 Cor. 8.* and *9:* and *10. Chapters.* And there is no way to evite the force of this Argument, but by affirming and proving, That the Action, at which offence is taken, or may be taken, is not onely lawful in it self; but, as circumstantiat, is expedient and necessary to be done; as all Orthodox in this matter know, and as may be seen in the Disputes of our Predecessours against the *Formalists*, especially in the *English Popish Ceremonies*; and in the *Debates of the Non-conformists in England*, this day, with their Adversaries, upon this Head.

Wherefore, seeing it will be easily granted, that the accepting of the *Indulgence*, was not a thing in it self necessary, so as it could not be refused without manifest sin against the Lord; and we have sufficiently, by our foregoing Arguments, proven the same to have been sinful. And seeing it will not be sufficient to say, That it was a matter in it self Lawful, or Indifferent, seeing what is Lawful in it self may become, by reason of some Circumstances, Inexpedient, and what is Inexpedient, in so far as Inexpedient, is Unlawful; and by what we have said, we suppose it is apparent, that none can with any shew of Reason affirme, that it was Expedient. Seeing I say, the matter standeth thus; and seeing withall it had such a manifest appearance
of evil

of evil in it, and that upon so many accounts, as hath been cleared, upon all which, it cannot but be conceived, to have been very Scandalous and Offensive.

In prosecuting of this Head, I might here make a large recapitulation of the Particulars, wrapped up in that complex Business, considerable in the circumstances thereof, and in their carriage, at the receiving thereof, and at their receiving of their Instructions, and otherwayes; and show how, by all of these, they gave offence: But to shun prolixity, I shall leave that, knowing that the judicious Reader will have observed these things, in the perusal of what is said above.

All therefore that remaineth here to be done, is to show what appearance of evil, and real matter of scandal there was, in the accepting of this *Indulgence*: And while I am to do this, I would have no man thinking, that hereby I do in the least weaken my foregoing Arguments, proving it sinful; for it is a truth, that the open committing of a manifest sin is scandalous; and no man can say, that the scandal, arising from an action, maketh that action indifferent, and not sinful, in it self, or *extra casum scandalis*. But because we ought all to be tender of the Spiritual welfare of our Brethren, and carefully to guard against the laying of a stumbling block before them, or do any thing that may induce them to sin, or tendeth thereunto, or to retard them in their Spiritual journey &c. Therefore *ex superabundante*, an argument hence may be convincing.

In order therefore to the holding forth of the scandalousness of this action, I shall only mentione the several Persons, unto whom hereby scandal was given, and cleare the same in a word.

1. The accepters of the *Indulgence*, did hereby give offence unto such of their Brethren, as had the offer, but were not clear, nor convinced of the Lawfulness of the embracing of such a favour, at such a time; for by their example these were encouraged and moved to do that, which they judged sinful and unlawful for them to do: And thus was there a stumbling block, and an occasion to fall, put in their Brother's way *Rom. 14. 13.* And it is evil for any to do such a thing with offence, even though it were in it self, and as abstracted from circumstances, Lawful and Pure *Rom. 14: 20.* Nay suppose, that those Brethren had scrupled out of meer weakness; yet, if the taking of the *Indulgence* be not said to be a necessary duty, (as I suppose it will not be said to be) in this case, it should have been forborne, according to the Doctrine of Paul *1 Cor. 8: 9. 10. 11.* *But take heed lest by any meaner, this liberty of yours become a stumbling block to them that are weak: for if any man see thee, which hath knowledge, sit at meat in the Idols temple, shall not the Conscience of him, which is weak, be emboldened to eat those things, which are offered to Idols? And through thy knowledge, shall the weak brother perish, for whom Christ died.*

2. They gave offence unto others, who had not this in their offer, yet Judged the accepting thereof unlawful, upon the ground last mentioned; and therefore should have hearkened unto the direction of Paul, in a like case *1 Cor. 10: 28.* *But if any man say unto you, This is offered in sacrifice unto Idols, eat not; for his sake that sheweth it, and for Conscience sake — vers 29.* Conscience, I say, not thine own; but of the others. And accordingly have refused that *Indulgence*, seeing there wanted not who told them of the evil, they conceived to lye therein.

3. They gave ground of offence unto the Godly Professours of the Land, who looked upon that course (as they do to this day) as homologating the Supremacy and as

strengthening the *Erasian* Invasion, and so gave ground to them to think, that they had departed from their Principles, and to be grieved thereupon: The consideration of which should have prevailed with them, to have refused this pretended favour, according to the direction of *Paul Rom. 14:15, 16. But if thy brother be grieved with thy meat, now walkest thou not charitably. Destroy not him with thy meat for whom Christ died. Let not then your good be evil spoken of.*

4. It was a great ground of offence unto the whole suffering Church of *Scotland*, in them, thus to withdraw from their Brethren, and leave them in the furnace, contrary to their former Engagements; not to mention the other Particulars, wherein we found their sacred Bonds hereby violated, which necessarily became a ground of great offence unto all: Nor to mention these Particulars, whereby we manifested above, that the accepting of this Indulgence, was injurious unto Christ's Headship; unto the Privileges of the Church, & to the Principles of Presbyterian Government, and others; from all which it is undeniably clear, that a palpable ground of stumbling was laid before, and offence given unto all the honest party.

5. Great offence and matter of grief was hereby given unto the few, that continued at their Masters work, in preaching in Houses, or in Fields, as occasion offered; for, hereby their hands were weakened, the number of the bearers of burden waxing smaller, even while the work was growing upon their hand; and they were made, out of a preposterous tenderness unto them, who had thus stepped off, to forbear preaching in such places, where these were Indulged unto, though formerly they used to meet with some encouragement in those places.

6. Hereby was offence given unto the Prelates, and to their under Curates, when they were hereby confirmed in their Usurpation and Defection: That action is indeed scandalous, that edifieth not (as the Apostles word is *1 Cor. 8: 10.*) or emboldeneth, or confirmeth any, in an evil course; the Particulars hereof were mentioned above, under that Head.

7. There was hereby a stone of stumbling laid before the Rulers, for they were hereby encouraged to proceed in their Encroachments upon Christ's Prerogatives, and on the Privileges of the Church, when they saw their contrivances for that end so sweetly complied with, and heard nothing of a Plaine, Direct, Apposite and Intelligible Testimony given against them, and their proceedings.

8. There is a stone of stumbling hereby laid, before the Posterity, in all time coming; for if the Rulers shall follow this course, & suffer no Minister to be settled any where, but as they please, & shall plant, & transplant as they please, without any regard had either unto the free Call of the people, or the Trial or Examination & Ministerial Mission of Church-Judicatories, & prescribe unto them what Rules & Instructions, they think good; what shall the Posterity do? Will nor Intrants, in that case, willingly submit, and think themselves obliged to do so, having such a preparative before them?

9. Will not this be an Afflicting and stumbling Consideration to any, that shall read the History of our Church; when they shall there see, with what Courage, Faithfulness, and Heroick Resolution, the Faithful & Zealous Ministers of Christ, maintained by Petitions, Declarations, Protestations, Declinations, and Sufferings of all sorts, the Power and Privileges of the Church, against all Incroachments and Invasions, made thereupon by King and Court; and now shall see such a company of Ministers, upon such small Temptations, at least, as to hazard,

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complying with & submitting to more grievous Usurpations, than ever King *Iames* did attempt? We no where read, that ever King *Iames*, notwithstanding of all the Supremacy, in Church affairs, and over Church-Persons and Officers, that was assumed by him, and attribute by Parliament to him, did exerce such a Supremacie over Church-Officers, or Ministers, as to plant them, & transplant them *brevi manu*, as he pleased. And is it not an heart-breaking thing to think, that now, when this Usurpation hath transcended all imaginable bounds, there should not only be no opposition made thereunto; but even a peaceable compliance with, and quiet submission unto the same, now in its exaltation?

10. What a stumbling thing is this unto all the Reformed Churches, when they shall hear, that so many Scottish Ministers, who refused to comply with Prelacie, have yet submitted to such an exercise of *Erastianisme*, as is no where else to be found, through the whole Christian world, for any thing I know? Where shall we finde the Magistrat, at his own hand Immediately, planting and transplanting Ministers, as he will, fixing and limiting them, according to his minde? Nay I doubt, if even in the *Palatinate*, where this woful weed of *Erastianisme* did first grow, such an exercise thereof is to be found: or if it be, what a shameful thing is it, that the like should be found in the Church of *Scotland*, which the Lord hath honoured from the very beginning, to be tried and exercised, upon the point of Christ's Kingly Power, and Headship over his Church, beyond all other Reformed Churches?

Objections Answered.

HAving thus shown how sinful the accepting of this *Indulgence* was, upon many accounts, it remaineth, that we remove out of the way what we conceive can be said, in the defence thereof; to the end, we may give all Satisfaction possible.

Obj. 1. May not the Magistrate, for ends known to himself, discharge Ministers to preach, for a time; and thereafter permit them to preach? And seeing the Business of the *Indulgence* was but of this Nature, why might it not be acquiesced unto?
Ans. (1.) That the *Indulgence* was some far other thing, is manifest from what is said: And beside other Particulars, fully spoken to above, this one may manifest the disparity; That it is one thing to permit Ministers to exerce their Office without molestation; and it is a far other thing to Appoint and Order them, to take upon them such or such particular Charges; and to plant and transplant them, at their pleasure, and subject their Ministrie in its exercise unto themselves, by giving Injunctions, Rules and Prescriptions, to regular them in the same. (2.) We heard above, how Mr *Calderwood* and Mr *Rutherford* did account even that discharge a degree of Suspension, which is a Church-Censure, and consequently is to be inflicted only by those, who have the power of the *Keyes*. (3.) Worthie and learned *Trocbreg*, in his Commentary on the Epistle to the *Ephesians Chap. 6: V. 20. Pag. (mibi) 1122.* proveth solidly, that this Power of discharging Ministers the exercise of their Function, doth neither agree to Heathen Magistrats; nor yet unto Christian Magistrats, who, by their Christianity, have received no new Power or Right over Christs Servants and Messengers; nor may discharge them from delivering their Message; nor depose them, whom they could not ordaine; nor stop their mouth, whose mouth they could

would not open; nor silence them, whom they could not send-forth to preach. (4.) When the Magistrate silenceth, it must either be for a Civil, or for an Ecclesiastick Crime: If for a Civil Crime, he can only do this consequently and indirectly; as *Salomon* removed *Abiathar* from the Priesthood, by banishing and confining him to *Anathoth*. But then (as *Mr. Rutherford* in his *Due Rights* &c. Pag. 434. saith well) he no more removeth a Minister from his Ministry, than a Master Fashioner, a Sailer, a Plower, a Souldier, a Father or an Husband, from their Work and Respective Employments, when he causeth imprison, hang or behead them for some Crime; nor doth he at all remove him from the Ministry directly, neither can he do it; for that is a Church-Censure, and the Keyes are not committed unto him. Nor can he do it for any Ecclesiastick Transgression, wherein he is no competent judge: Nay nor can he indirectly and consequentially, in this case, remove any Minister from the exercise of his Ministry, where the Church is settled in her Power, except only *Causatively*, by Commanding the Church-Judicatories to do their Work first; that is, first to iudge; for in *prima Instantia*, he may not do it: or *Corroboratively*, by backing the Sentence of the Church-Judicatory with his Civil Sanction and Authority.

Obj. 2. Though the Magistrate hath not Power to silence altogether, yet he hath Power to discharge the Publick Exercise of their Ministry; and againe, when he thinketh fit, to grant that Liberty unto them. *Ans.* (1.) Though this were granted, it will not helpe, in the case of the *Indulgence*, wherein was some far other thing, than a meer grant of Freedome for the Publick Exercise of the Ministry, as is seen above. (2.) *Illud tantum possumus, quod jure possumus*: We can be said to have Power to do that only, which we have right to do. Now, I would enquire, how it can be proved, that the Magistrate hath Power granted of God, to discharge the Messengers of Christ the free and publick exercise of their Ministry. Directly, Formally and Immediately? (3.) The Practice of the Apostles tels us, that such Commands are not lawful, nor to be obeyed; for they preached publicly, where occasion offered, notwithstanding of the prohibition of the Magistrate. (4.) The Magistrates lawful Power reacheth privat places, as well as publick places; as *D. Voetius* maintaineth against the *Arminians*: If he may hinder an Heretick from preaching Heresie publicly; so may he hinder him from doing it from house to house. And therefore, by the same Argument that he may hinder publick preaching, he may hinder the whole exercise of the Ministry.

Obj. 3. Our *Second Book of Discipline Chap. 10.* granteth, That Magistrates may place Ministers, when the Kirk is corrupted, and all things are out of Order: And so it is now with us. *Ans.* Yet it is added in that same place, (That where the Ministry of the Kirk is once lawfully Constituted, and they that are placed do their Office faithfully, all Godly Princes and Magistrates ought to hear and obey their voice, and reverence the Majestie of the Son of God, speaking in them:) And though our Divines grant, that when the Church is not Constituted, or is wholly corrupted, Godly Magistrates, after the example of some Godly Kings of *Judah*, and diverse Godly Emperours and Kings also, in the Light of the New Testament (as the words run in the place cited, in the *Second Book of Discipline*) may do much more, than at other times: Yet I suppose, none, for shame, can make use of such a Concession now; seeing our Church was a Constituted and well ordered Church, and had all her Rights and

and Privileges ratified and confirmed by Law; and all the Magistrates of the Land, from the highest to the lowest, were under Solemn Vowes and Covenants, to maintaine her Constitution and Order: And what could be more desired, in order to the settling of a Church? Whence then the Confusion, that now is, is come, we all know. And when the Magistrates with their own hand overturne all, shall this Objection be made use of, to countenance their After-practices? That were indeed to teach Magistrates a way, how to usurpe and take to themselves all Church-Power, *viz.* Let them once, by Iniquity and Tyranny, break the Glorious Order of the Church, and bring all into Confusion; and then forsooth they may warrantably assume to themselves and exercise all Church Power, according to their minde.

Obj. 4. Hezekiah did apply his Regal Power to the Reformation of the Levites, and to the purging of the Temple 2 Chron. 29: v. 5. and did also appointe the Courses of the Priests and Levites, every man, according to his Service 2 Chron. 31. So likewise did Josiah 2 Chron. 35. *Answer.* Neither of these Kings did destroy the Order and Beauty of the Church, but reformed what their Predecessours had corrupted. Neither of these did take away the just and legal Power of the Priests, (as our Rulers have taken away Presbyteries and their Power) that they might exerce it themselves, as our Rulers do immediately what Presbyteries should do, in the matter of the *Indulgence*. Neither of these Kings gave new Instructions, out of their own Heads, to the Priests and Levites, that they might thereby formally subject the exercise of the Ecclesiastick Power unto themselves; as our Rulers have done. But beside what hath been said to this before, I shall only subjoine the Answer of Worthie Mr G. Gillespie in his *Ayons Red Blossoming* Pag. 138, 139. [Hezekiah (saith he) in exhorting the Levites to sanctifie themselves, and to cleanse the Temple, doth require no other thing, than the Law of God did require Num. 8: v. 6, 11, 15. and 18: v. 32. Which Hezekiah pointeth at 2 Chron. 29: 11. And why should not the Magistrate Command Ministers to do the duties of their Calling, according to the Word of God? As for his appointing of the Courses of the Priests and Levites, he did nothing therein but what the Lord had commanded by his Prophets 2 Chron. 29: 25. The like I answer concerning King Josiah; for it is recorded that what he did, was according to the writting of David and Salomon 2 Chron. 35: 4. and according to the Commandement of David and Asaph and Heman and Jeduthun, the Kings Secy. 15: as it is written in the Book of Moses Vers. 12.] thus he; and thus will we see, how impertinent this is to the present purpose.

Obj. 5. But what can be said of such of the Indulged, as were sent to their own Charges? Several of the Arguments adduced cannot strick against them. *Answer.* Though some of the Arguments will not militate against them directly, yet the most part will. And further, let these things be considered, (1.) That it was a meer accidental thing that they were sent to their own Charges, *viz.* because at that time they were vacant; and so, had they not been vacant, these Ministers had been appointed and ordered either to go elsewhere, or not indulged at all. (2.) They were not barely permitted to go to their own Charges, by rescinding the Act of Glasgow, or taking off the Sentence of banishment, by vertue of which they were put from the Actual Exercise of their Ministrie, in their own Congregations, which might easily have been done, if the Council had intended no actual Invasion of the Power of the

Church; nor had designed the Subjection of the Exercise of the Ministrie unto their own Authority. But (3.) They get the same immediat Right to the exercise of their Ministerial Function, which others got, who were ordered to other places; and this Right is nothing but the Councils Order and Appointment. (4.) And thus, in a manner, their case is worse, than the case of such, as were sent to new flocks; for upon the matter they did renounce their old right to the exercise of the Ministry, in those Congregations, where once they had been settled, according to the Order of the Gospel, and took a new Right from the Magistrate, and acted upon his Order. (5.) And why may they not also repaire to the Presbyteries and Synods, upon the Councils Order, as well as to these Congregations, seeing they had a right formerly, to exerce the Ministerial Function in the one, as well as in the other; and the Magistrats discharge can no more invalidate the right to the one, than to the other?

Obj. 6. If it be a ground sufficient to reject the benefite of this *Indulgence*, because it is supposed to flow from the Supremacy, then much more might we refuse to preach, if the Magistrate should command it expressly by vertue of his Supremacy: And if this be yeelded, then it is manifest, that the Magistrate, if he had a mind to banish all preaching out of his Dominions, needeth use no other medium than onely tell the Ministers, that he commanded them to preach by vertue of his Supremacy. *Ans.* (1.) We do not condemne the accepting of the *Indulgence*, upon a meer supposal, that it floweth from the Supremacy, having seen and manifested, what a real relation it hath therunto, and dependance thereupon. (2.) Nor is its being a native result and proper effect of that iniquous, and usurped Supremacy, the onely ground whereupon we go, in condemning the acceptance thereof, there being many other Heads of arguments adduced against it, and such as prove it unlawful, as it was circumstantial, though wholly abstracted from all Consideration of the Supremacy, yea and though granted and enjoined by a Church-Judicatory; and though the Magistrate, in granting of it had expressly said, that he did not grant it by vertue of the Supremacy. (3.) Yet I shall say further, That the Command to preach simply, and without Limitations, Restrictions, or sinful Conditions, cannot properly be said to flow from, nor to have such a dependance upon that Usurped Supremacy, as this *Indulgence* hath: For, to command Ministers to do their duty, in preaching of the Gospel, according to the command of God, belongeth to the power, which God hath granted to the Magistrates; and so, natively floweth from his Office: But to set down Limitations, Restrictions and Conditions, regulating the exercise of the Ministrie, doth not so flow; and when they are such, as are opposite to the Rules of Christ, it must of necessity be by vertue of an Usurped and abused power: Whence it is apparent, that this *Indulgence*, containing such Limitations, Restrictions and Conditions, doth not, neither can natively flow from the Office of a Christian Magistrate, nor is an act of Lawful Magistratical Power; as all will confess, who are not taught in *Erastus's* school. Therefore, though in the case of simple preaching, the injunction ushered-in with an express mention of the Supremacy, as its ground and rise, would be but a ridiculous scar-crow; yet in this other case (which is the case of the *Indulgence*) it would be an open spreading of the net in the sight of the bird, & more than a sufficient warning for wise men to beware (4.) Though a Command to preach, according to the Rules of Christ, cannot be accounted to

ed to flow from this corrupt Supremacy, even though the Magistrate shall say so much, in plaine termes; Yet a command to preach in this place, and not in another place, and to preach so and so, according to such Limitations, Rules and Prescriptions, and according to no other (as it is in the case of the *Indulgence*) may be said to flow natively from the corrupt Supremacy; even though the Magistrate should say in expresse termes, that it did not; because it is done by an Usurped Power, viz. a power of judging Ministers Qualifications, of Ministerially sending them, of Regulating them in the exercise thereof &c. All which belong properly to the power of Church-Judicatories; not to mention the spoiling of the people of their power of free Election. Therefore preaching, when simply commanded, cannot be condemned, even though the Magistrate should affirme, that the command is given by vertue of his Supremacy; when the accepting of the *Indulgence* cannot be justified, though in the granting of it no mention was made of the Supremacy; much less, if this were expressly prefixed. (5.) The visible ends of Magistrates giving forth of commands, which may be knowne by several Circumstances, may do much to cleare and determine Christians, to obey, or not obey; and so a command, materially the same, may in some cases be obeyed, in some cases not. So that, when the Magistrate, manifesting his Intention to root-out the Gospel, shall command all Ministers by vertue of an Usurped Supremacy, to preach the Gospel, the material command may be obeyed, and yet the Magistrate frustrate of his Intentions: But when he commandeth a few, and onely a few, by vertue of his Supremacy, to preach here or there, as he pleaseth; and upon such and such termes, as he is pleased to prescribe, and under such and such Limitations and Restrictions, as he is pleased to enjoin, to the manifest hurt and detriment of the Kingdom of Christ, he is to be disobeyed, and frustrated of his pernicious ends. Whence we see, how different the cases are. (6.) When the thing enjoined, and that expressly by vertue of the Supremacy, is not only Lawful, but Necessary by vertue of a command of God, as is the simple preaching of the Gospel; the prefixing of the expresse mention of the Supremacy cannot alter the Nature of the duty, nor be any ground of laying aside the duty so enjoined. But when the thing enjoined is not only not necessary, but, as circumstantial, is not Expedient nor Lawful, then the expressing of the Supremacy, as the ground of the command, is to be noticed, and may *ex superabundante* deterre from Obedience: Now this is the case of the *Indulgence*, as is cleared above. (7.) If that supposed command of preaching the Gospel came forth to Ministers, already settled in their Ministrie, the mention of the Supremacie might be sufficiently delete, by a Protestation or Declaration of their preaching, and purposing to continue in preaching by vertue of Christ's Supremacy; & silence as to this, I judge, would be dangerous: But if this command were given to such, who had been by violence ejected, and put from their work, and detained therefrom, until they should thus acknowledge the unlawful Supremacy of the Magistrate, I suppose there might be ground here for a demurre.

Obj. 7. It seemeth then, you would not be for Ministers returning to their own Charges. if the Magistrat should grant such an Order or Permission? *Ans. (1.)* Either this Order or Permission would be granted with an expresse mentioning of the Suprenacy, as its ground, or not: If the Supremacy be laid down as the ground, and nothing else in the circumstances be observable, to creat a scruple; I judge it necessary,

necessary, that even in that case a plaine and positive Protestation against that Supremacy be given in, that it might appear, they would not so much as seem to homologate that sinful Usurpation. (2.) If no mention were made of the Supremacy, but only a simple permission granted to returne each to their own Charges; than this liberty would either be granted to all without exception of any, or onely to some: If onely to some, I must needs say, that as matters now stand, I should think it should not be accepted, even though freed of many other clogs; and that because, the wicked designe of further dividing the honest party, should hereby be made manifest and obvious, contrare to our Covenants; and hereby, though the Persons themselves should be freed of trouble, and the Particular Congregations might receive some advantage, if withal freed of the Curats; yet the publick good of the Church, which is preferable to any particular good, should be prejudged; & the Rulers should be also confirmed in their Usurpations & Encroachments; which by all meanes should be guarded against. (3.) If this liberty were granted to all, then it would either be granted with a confinement to these bounds, or without it; If the former were said, then the designe would be obvious, to stop the free course of the Gospel, and to prejudice other places of the Land of the benefite thereof; (for though all the outted Ministers, now on life, were restored to their former Charges, many places would remaine void of faithful Pastors) Now this should be guarded against, & that the more carefully at this time, when by Reason of the prevailing course of Apostasie, so great a part of the Land hath been drowned in Ignorance, and led away with a prejudice against the work of God: For every Minister of the Church of Scotland is bound before God, to do what in him lyeth to remedie this evil. If any should say, what can be more required of a Minister, at any time, than to be faithful in his particular station; seeing he hath no oversight over the whole Church, and he is not to carry, as an Apostle. I *Answer*, Every Minister hath a prior relation to the Church universal, and a neer relation to the particular National Church, whereof he is a Member; and this Relation is antecedent to his relation to a particular flock, in order of Nature. And as in a Church well ordered and constituted, the edification of the whole requireth, that each Minister be particularly fixed, in the ordinary exercise of his Ministrie, to a particular Charge, with a capacitie to officiat elsewhere, as providence calleth: But in a time of general corruption, the edification of the whole body requireth, that Ministers (when few) be not restricted or limited to particular places, to the manifest and inevitable prejudice of the whole, or of the major part of the Church. Seeing then providence hath now loosed these Ministers from the actual exercise of their Ministrie, in their respective paroches; I think they are called to consider, how and on what termes they become fixed againe; especially to see that their fixing be not to the undeniable prejudice of the Church National, and be not a virtual denying of their relation to the same. Further, by this confinement they should be out of all capacitie to meet together for the exercise of discipline in Presbyteries and Synods, conforme to our principles; as also to ordaine a succeeding Ministry, and to provide for other vacant places, which this time calleth for; as also they should be out of a capacity to help others at Communion, according to our laudable custome, and to preach to such as are under Soul murderers, and Traitors to Christ and his Interest, in this day of detection. (4.) If it be without this Confinement, then it will either be with

with some one or other of the Prescriptions, Rules, Instructions, and Conditions, with which the present *Indulgence* is clogged; or not: If it be, then the same reasons that militate against the present *Indulgence*, upon that account, will equally militate against this. 5. If it should be free of all these entanglements and grounds of scrupling, I leave it to Christian prudence to consider; Whether, as matters now stand, the Lord be not rather calling them to preach his name on the mountaines, seeing this way hath been so signally blessed of the Lord, and is daily more countenanced of him, than their labouring in their respective Particular Charges usually hath been; and seeing it is undeniable, that the Adversaries are not as yet really repenting of their opposition to the work of God; and therefore, that any such permission (if granted) could not be supposed to flow from any love to the Prosperous progress of the Gospel; but rather from the contrary, as is clear in the *Indulgence* already granted; and to flow from a purpose to entangle and ensnare, yea and endanger both Soul and Body; if not from a purpose, or designe to destroy all at once.

Obj. 8. The benefite of freedome and liberty of preaching the Gospel, is so great, and the duty is so lawful and necessary, and of so great import to souls, that many things may be warrantably comported with, in order to the obtaining of it, *Ans.* I willingly grant the lawfulness and necessity of this important duty of preaching the Gospel: But I see not the strength of this Argument; for the Gospel was never in bonds, except by our timorousness and sinful relinquishing of duty, because of a supposed Lion in the way. The Gospel might still have been preached, with no greater Inconvenience, than it was by the Apostles and others in the primitive times, and possibly with much more success, than it hath been done by the *Indulgence*. And every one may see, that the *Indulgence* was granted by such, as did not designe the Gospels advancement, but the imprisoning of the same rather with the preachers there of, both by confining the Persons Indulged, and by hindering, so far as they could, the remarkable progress of the Gospel, in the blessed Assemblies, in Fields and Houses. This objection then can have no force, seeing the Gospel was and might still have been preached, without this *Indulgence*, though it is true, with less ease, peace, and quietness to the preachers and hearers; yet, I am sure, with more inward quietness of mind, and acceptance with God, and with more ground of hope of a rich blessing to follow their paines, as experience hath proven: Unless it be said, that the Gospel should not have been preached, without freedom and liberty granted by the Magistrat; and if this be said, not only shal all those, who have preached at Conventicles (as they are called) be condemned; but even Christ himself and his Apostles, who preached to few Assemblies, but such as might have been called Conventicles, shall be condemned also.

Obj. 9. The outed Ministers having hitherto groaned under Edicts, which they no otherways acknowledged, than by a submission purely passive, the present licence, abstracted from its offensive circumstances, is such a relaxation, that if only limited to its rigide measures by casual impossibility, it would not be rejected. Wherefore unless it be proven, that the use-making of this favour doth Homologate with these exorbitancies, the rest is nothing material. *Ans.* The outed Ministers groaning under, and no otherways acknowledging than by submission purely pas-

five, such Edicts, as respected their Persons and Estates firstly, and Principally, can say nothing for an active submission unto such Edicts, as more neerly relate to their Office and Function; or for acknowledgment of such Edicts, as are made and emitted by such, as act from a Principle of Usurpation, and in order to the strengthening of themselves in the same; seeing the difference is vast betwixt an Active and a Passive Submission; and an acknowledgement herein, by an Active Submission, contributerh to the iniquous ends, proposed by the Supremacy, which is sufficiently confirmed by the Magistrat's projecting, in this offer made and accepted, his further Establishment in the Usurpation. (2.) Hence we see, that this Licence, (as it is called) if not abstracted from its offensive circumstances, will be granted to be such a Relaxation, that though limited to its rigide measures, even by a casual impossibility, could hardly be accepted: And though in our imaginations, we may abstract Actions from their offensive circumstances; yet in point of Practice of moral Actions, such abstractions cannot be made, as will salve Conscience; seeing it is confessed, that the morality of Actions doth much depend upon circumstances. (3.) Though a licence so abstracted, and limited to its rigide measures by a casual impossibility, may be accepted: Yet, a licence, which cannot be abstracted from all its offensive circumstances, ought to be rejected. And though a Relaxation, made rigide by casual impossibility, may be accepted; yet that will say nothing in our case, where no casual Impossibility, but a moral transgression, cometh in consideration. A casual impossibility is such a restraint, as may quiet the Conscience, if so be it be not caused or occasioned by our sin; but such hath no place here. (4.) How the accepting of the *Indulgence* doth homologate with these exorbitancies, hath been seen above.

Obj. 10. The Rulers did not assigne the Ministers to particular Charges by expresse Deputation, but only appointed them to repaire to the Paroches designed, permitting and allowing them there to preach and exerce the other functions of the Ministrie. *Ans.* We saw above, that by the *Indulgence*, there was an expresse Deputation, and a particular assignment, and a plaine warrant and licence granted. Hereby it would seem that none of these Indulged do look upon themselves, as proper Pastors of those places; and so can take no Pastoral Charge of them: And if so, they cannot be offended, if the People owne them not as Pastors, but go and hear others, according to convenience, and look upon them, as such, as are allowed to preach by the Magistrate, without molestation; but not as having any Pastoral Charge over them; and yet forsooth they must enjoy the maintainance of a Lawful Pastor: Which things cannot well hang together.

Obj. 11. Though to yeeld to the Magistrat, onely appointing as in the Act, would be a sinful compliance, in a settled enjoyment of our Liberty; yet after the ruineing overthrow, given to all the Church her Liberties, the acceptance of something, in effect a Relaxation, however sinful upon the Granters Part; yet on our part not burdened with sinful Conditions, cannot be condemned; for the real Opposition of things and determination of events set the periods, according to which, that, which in the beginning of an evil Course, may be duty, in its prevailing and establishment, through change of circumstances, whereon its morality depends, may be impertinent. *Answer* (1.) Though I yeeld, that a change of events may, in some cases, call us to the use of other meanes, more effectual, as matters then stand, for gaining our point, or
for

for keeping our Rights: Yet to assert in general, that the Determination of events fet-
teth the periods to moral Duties, seemeth to me dangerous, especially in our case,
wherein the contest is not for our own Rights, Privileges, or Advantages; but for the
Prerogatives of our Masters Crown, and the just Privileges of our Mother, the Church,
wherein we have no liberty to come and go, as in our own Particulars. (2.) It is
then confessed, that the Rulers, by this *Indulgence*, have made an Encroachment upon
the Liberties of the Church; and that to yeeld unto this appointment had been a sinful
compliance formerly, when the Church was in possession of her Liberties, even though
the Appointment had not been so burdened with sinful Conditions, as now: Hence
we also see, that even this Usurpation is inconsistent with the Churches Liberty, and
that it is no maintainance of this to yeeld to the Usurpation. (3.) Then it must be said,
that all our former Engagements, to maintaine the Prerogatives of Christs Crown, and
the Privileges of the Church, are now so far annulled, by the overthrow given to
both by the Rulers, that we may freely comply with them in that, which formerly had
been a betraying of all: This, I confess, would open a door to a large compliance.
When a ruineing overthrow was given to our Civil Rights and Government, by an
Invading Enemy, the very acceptance of what in effect might have been accounted a
Relaxation, was by men accounted a treasonable Compliance, and accordingly pun-
ished, at the Kings return; and shal we carry thus in subinary things, which are both
alterable in themselves, and under mens Power; and yet be less Zealous and more In-
different, in the Matters of Christ, which as Christians we are obliged to owne; and by
the Supervenient Obligation of Vowes, Oaths and Covenants engaged to maintaine,
as well against *Eraſtians*, as against *Papists*, *Prelates* and *Malignants*? (3.) This Asser-
tion will condemne the Zeal of our Forefathers, as not being according to knowledge,
nor morally good, according to the change of circumstances, and periods, set by the
determination of Events. Yea if this be a fixed Rule, that such a change of circum-
stances will make it impertinent, yea and sinful for us to refuse to do that, which, while
matters were entire, had been a sinful compliance; how much more will it make it
impertinent and unlawful for us to endeavour a change: For if it alloweth a compli-
ance, which in so far confirmeth the Usurper, in his unjust Possession, after the ruineing
overthrow given, it will certainly not allow of any Opposition. (4.) I grant, when a
Robber hath spoiled us, we may lawfully take part againe, rather than lose all; or when
an Invader overrunneth the land, and spoileth us of all our former Privileges, we may
receive some againe, though when matters were entire, it had been a compliance to
have done so: But that will not answer our case; because we have more Power over
our own Particulars, than over Christs Matters: we may in some cases voluntarily give
all our own away; but we cannot do so, in the Matters of Christ, and of His Church:
And therefore, what at any time would be a sinful compliance, or an unlawful giving
away of Christs, and the Churches Rights, cannot be lawful, even after the Enemy
hath overthrowen all. (5.) I grant likewise, that after an Universal overthrow of the
Privileges of the Church; we may lawfully accept of little, when more cannot be had;
yet that little must be such, as was not unlawful; at any time, to be accepted of;
and we must accept of it, in another manner, than could ever have been accounted
a sinful compliance. (6.) Though what is said in the Objection might have some
weight, when that thing can be had no other way, than such, as would formerly have
been accounted a compliance: Yet it can have no weight, in the case of the *Indul-*
gence; because liberty to preach (which is here called a Relaxation) may be had with-

out this appointment of the Rulers, and that with no less countenance and approbation of God: So that in the Accepting of the *Indulgence*, there is a needless compliance with the Usurper, and an unnecessary confirming of him in his wicked Usurpations:

Obj. 12. That, which in the case of standing Liberty, would be an insufferable Imposition, and its refusal, duty, may, as its from God, in the case of lost Liberty, be looked upon, as a little reviving in our bondage, and embraced with a sinless Submission; and he, who thus humbly and sincerely layeth hold on it, may be very assured of the Lords Approbation therein. *Ans.* When a people have been following their Duty, in defence of their Lands and Liberty, and are in Providence broken by an Enemy; their Posterity, or even they themselves, may willingly submit to, and lay hold on that, which formerly had been an insufferable Imposition, and might have been justly refused; but then they must have had no sinful hand, in the losing of their Liberty, otherwise it shal be but a continued compliance; and we must suppose, that they are now out of case to owne and contend for their Liberty. Which holdeth not, as to the *Indulgence*; for as there was a sinful ceding at the first, in not resisting unto blood, striving against these Usurpers, by Protestations, Declarations and other Meanes called for, in the like case, whereby this acceptance becometh but a continued compliance, on the matter, in the same Persons: So the manifold Obligations we are under, binde unto a constant and perpetual contending for the Prerogatives of our Prince, and the Privileges of his Church, against all the Enemies thereof: And no case of lost liberty will warrant us, to submit, or accept of that, which formerly we were bound to have refused, and to have looked upon, as an insufferable Imposition. What may be said of the Posterity, born and brought up under that loss of Liberty, cannot advantage us in this Generation, who, when we can do no more, are obliged to transmit the Controversie of Zion, and the Cause, as *in foro contradictorio*, to the Posterity; that they may see the Cause, though not prevalent, yet not quite sold and given up; and so may serve themselves heirs to our Contendings for the Interest of our Lord. And for this cause, ought we to be tenacious of these Rights, and do nothing that may strengthen our Adversaries, and weaken our Cause: and this, I suppose, would yeeld more peace, than the accepting of that, which is called a little reviving, but indeed is a weakning both of the Cause, and of our Party. It is laudable Constancy, in this Case, not to yeeld or grant one hoof: But what pusillanimity, yea and treachery will it be, by ceding and accepting of such supposed revivings, to put ourselves and our Posterity out of all case to recover our Liberty, and to burie with our own hands the very memorie of the good old Cause, for which our Predecessours, and we sometime, have contended with Zeal and Earnestness; especially when, we may have the same thing, which is called a reviving in our bondage, another way, with Approbation of God, with less Scandal to others, with more Advantage to the Cause, and less Advantage to the Enemy, though with more trouble and less quiet to our selves?

Obj. 13. Though the Magistrats principal Designe, in this matter, be the Establishment of his own Supremacie: Yet the accepting of this favour cannot be so much as an Interpretative yeelding thereunto, as may be clear by this Supposition, that the Magistrate, without any change of Principle or Designe, had ordered all Ministers to their own Churches. *Ans.* (1.) This being confessedly the Magi-

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strat's principal Designe, in granting this supposed favour, our acceptance cannot but be accounted by him a reall contributing of all, that is required of us, thereunto; and as it was circumstantiat, could not but be, on our part, even because of what the Magistrat did rationally account to be unto him, a virtual acknowledgment, and a reall Confirmation thereof. (2.) If the sending of the Ministers to their own Congregations, had been by a Civil annulling of the former Sentence of Basifishment, as it could not have flowed from the Supremacy; so neither could it have contributed unto his Usurpation: But if the sending of them to their own Charges had been every way, after the manner of this *Indulgence*, it would not have altered the case to me; for as I said above, his re-entrie to his Former Charge, after this manner, would have been a virtual annulling of the Ground of his Former Call, and Interest in that place, and over that People, and not a returning with full Freedom and Liberty.

Obj. 14. The Magistrat proposing this *Indulgence* by way of Command, notwithstanding my pleasure, my obedience to the Command cannot imply an engagement to the Prescriptions annexed; nor doth the Magistrat discover the least Intention, to oblige me thereunto by consent; nor is in this matter treating with us, expecting our formal consent for his security; and therefore I may accept the favour, without the prescriptions, there being no formal Compact here. *Ans.* (1.) Though the *Indulgence* be propounded by way of Command, the Council thinking it below them to Act otherways: Yet both the Nature of the thing, and the concomitant Acts, made of purpose, to Limite, Restrict and Qualifie the thing proposed, and to Instruct and Oblige the receiver, saith, that the accepting of the First doth virtually engage to the Second, both making up one complex grant, or one *Indulgence* so qualified, limited & cautioned. (2.) Though the Council did not call for any formal and expresse engagement from them, unto the performance of these Injunctions; yet their carriage towards Mr. Blair, upon his Positive renouncing of these Injunctions, sheweth, that they meant these Injunctions for Conditions; & this also they expressly declared in their after Proclamations & Edicts, as we saw above. (3.) Who accepteth a favour, offered with its burdens, must accept it *cum onere*, howbeit the offerer, being a Superiour, doth not expressly require an explicate Consent, but resteth satisfied with his own Intimation: As when a Father granteth to one of his Children such a portion of Land, and withall intimateth, that it is his will and pleasure, that he take on him the burden of so much debt; though the Son should not be required to expresse his consent to the Condition of the Debt; yet his accepting of the benefite thus burthened, obligeth him to take on the Debt: So here, because Mr. Blair did disowne the Conditions, though his formal Consent was not required, he was denuded of the Benefite; and therefore the rest took the Benefite with its burden; and could not, while accepting the favour, account themselves free of the Conditions, or not-obliged to performe them, seeing in accepting the one, they accepted the other, both making up one complex business. Wherefore, though this *Indulgence* be given by Magistrates, who love to act imperiously, and by way of Edict; yet it being granted as a favour, the accepting of it, both as to the thing it self, and as to the sense and meaning of the Granters, includeth a virtual engagement to the Observation of the Rules and Conditions annexed.

Obj. 15. Although the Magistrate had expressly prefaced his Supremacy unto the grant of this licence; yet a Protestation on the accepters part against the same, would sufficiently have purged their use-making of the favour, of all sinful concurrence.

Ans. (1.) Though this were granted (which yet cannot be) yet it cannot avail the accepters, who made no Protestation. (2.) Though no mention was made of the Supremacie; yet the accepting was so foule, upon many other accounts, that no Protestation against the Supremacie, if mentioned, could have salved the matter, as we saw above; and their after acceptance would but contradict their Protestation.

Obj. 16. Though the Magistrat hath carried his Supremacy above the highest, yet he never judged the power of Order worth the assuming; so that the *allowing* to preach mentioned in the Act, joined to *permitting*, and directed to none but to Ministers, antecedently ordained, cannot be a just ground of scruple. If the Magistrat had simply appointed every other Minister to his own Church, allowing him there to preach, to have offended at the word *allowing*, would have been an excessive niceness. **Ans.** Though the Magistrat never judged the power of Order (strictly so called) worth the assuming; yet it may be thought, that he judged that power worth the assuming, whereby the Authority of the Ministrie, and the Exercise thereof, should be looked upon as flowing, and as derived from him: And Ministers were, I think, called to be careful and circumspect, lest by doing and accepting of anything, they might interpretatively and virtually acknowledge and consent to this Power. (2.) Though this *allowance* was granted to such, as had been ordained Ministers before, yet the same, flowing from the Supremacy, and being more than a meer *permission*, could not but import their deriving of a power to exercise the function, in such a place, from him; and so prove a most just and weighty ground of scruple. (3.) Nor will the supposition of his sending every Minister to his Church, wholly take away the scruple; for his simple annulling of the prior Act at Glasgow, would have been sufficient for that end; but when, instead of this, he not only did say, he *permitted* them to preach againe to their former flocks; but also that he *allowed* them, and that after he had invaded the Throne of Christ, and assumed to himself the Fountaine of all Church power; so that both as to the exercise of the Ministrie, and as to the exercise of it in such a place, they should depend on him, I think there should have some ground of scruple remained: For might it not be thought, that by their ready acceptance, without a previous, full, faithful, plaine and publick Declaration and Protestation, they had now derived their power from another Head, than formerly, and stood now upon some other new ground? And in this case, I should think, that offending at the word, *allowing*, were the kindly work of a tender Conscience, zealous for the Glory and Interests of Christ, and careful of the credite of the Ministrie; and no excessive niceness.

Obj. 17. The Ministers Indulged do above all things owne their Masters Ordination, as the only proper foundation, whereupon the exercise of their Ministrie, by the permission of this licence, doth subsist. All the regarde they have to the Magistrats allowance, is, that they look upon it, as the removal, *de facto*, of his unjust restraints, hitherto Invincible. And neither by forme of acceptance, nor by engagement, do they in any sort acknowledge any of the Magistrats wrongs; but are ready by a plaine declaration to purge themselves, even of the suspicion of a simple acquief.

acquiescence. *Ans.* (1.) I shall willingly yeeld, that the Persons concerned doe owne their Ordination; yet we must distinguish the *Intention of the work*, and the *Intention of the worker*; though they may have no Intention of invalidating their prior Ordination; yet their accepting of the *Indulgence* may virtually include this; and so their Practice may contradict their Principles. (2.) Their Masters Mission is onely their proper, sure and solide Foundation, whereupon the exercise of their Ministrie should subsist; but is it not manifest, that the accepting of the *Indulgence* doth virtually say, that as to the Ministrie they depend upon the allowance of Men; yea of those, who assume to themselves an Headsiipe over the Church, and a Fountaine-power, from which this Exercise must natively flow, and be derived. (3.) These restraints of preaching the Gospel were not invincible Physically, nor Moraly: Neither were any such restraints, as such, formally removed, nor a pure *permission* granted. But the *Indulgence* contained an Authoritative Enjoining and Warranding, as also a Qualifying, Restricting, and Regulating the exercise of the Ministrie; and all this in prosecution and confirmation of an Usurped Supremacie; and this was a far other thing, than a removal *de facto* of a former restraint. Now their Subjection unto this Incroachment, testified by their accepting of the *Indulgence*, so conveyed, is much more, than the acceptance of the benefite of a bare Permission: And all know, that they might have exercised their Ministerie, without this *Indulgence*, to the Glory of God, the Edification of the Body, the Confirmation of the Principles of Truth, concerning the Ministrie, the Defeating of the corrupt Erastian Designes of the injuriously incroaching Magistrates, and to the offence and scandal of no Person. (4.) Though they do not expressly and *in terminis* acknowledge any of these Wrongs; yet, by their accepting of the *Indulgence*, so conveyed, as is said, they may virtually and upon the matter acknowledge this: and their plaine Declaration to purge themselves, will be but a contradiction to, and a condemnation of their own deed, because the Imposer can only put a sense and gloss upon his own Injunctions; and the granter of a warrand and favour, on the same; and in his sense it is, at least virtually, accepted by all, who accept of it, if plaine dealing be owned; and I suppose Ministers, while dealing with the Council, should not walk upon fallacies, or mental reserves, or on what is equivalent.

Obj. 18. The accepting of the *Indulgence* did Import no subjecting of the Ministrie to mens arbitrary Disposall, but only a subjecting of the persons, or rather an acknowledgment, that the persons are already in subjection, which by our long silence & sufferings is too apparent: But if we have hitherto thus contentedly acknowledged this, to the restraint of our Ministrie, shall we now be so unhappy, as to wrangle about it, in prejudice of a relaxation? *Ans.* (1.) The act of *Indulgence* did not only mention Ministers repairing to such or such places; but spoke likewise of the exercise of their Ministerie, which it allowed them, and for which prescribed severall Rules and Injunctions, limiting and regulating them, in the same; & though this did comprehend a subjection of their persons also; yet it is by vertue of a prior Subjection of their Ministrie, as being made liable to punishment for not-observing the Rules and Injunctions prescribed. (2.) These sufferings indeed declared a subjection of their persons; but their silence shall be found (I feare) to have done more; And their former sin can be no ground to justify their present practice, in accepting of this

of this *Indulgence*, which instead of being a relaxation, is a further wreathing of the yoke about our necks.

A Vindication of such, as scruple to hear and owne the Indulged.

Considering what is said above, both in the Relation, and in the Reasons against the accepting of the *Indulgence*, whereby the manifold iniquity thereof is manifested, it might seem wholly unnecessary and superfluous to vindicate such, as, beginning to discover the evil thereof, do scruple to look upon those, who are set over them by the Council, as their Ministers, set over them by the Holy Ghost; seeing it may rather seem strange, that any, who adhere to our former Principles, are of another judgment; and that Conscientious Persons did not from the beginning withdraw from them: Yet for satisfaction to all (so far as is possible) the grounds of our Vindication of such shall be proposed, in a few questions.

Only it would be premittid, in what sense we take the question: And therefore. (1.) I do not make this the question. Whether or not these Indulged Ministers, are true Ministers of the Gospel, or ought, in any case, to be acknowledged, & looked upon as such; for in order to our Vindication of such, who withdraw from them, it is not necessary to assert this; for in order to the Vindication of such, as withdraw from the Prelates *Curates*, as we do not, so we use not to say, That they are not Ministers, knowing that by saying this, we are engaged consequently to say, that all the Children, whom they have baptized, are yet unbaptized; and that all their Ministerial Acts are null. Nor (2.) Shall I make this the question: Is it not simply unlawful to hear them? For in order to Vindicate the withdrawers from the *Curates*, we need not assert this, knowing that much more is required to make an action simply sinful, than to make it inexpedient, or unlawful; and if it were granted, that the hearing or owning of the Indulged, as matters now stand, were unlawful, or inexpedient, the Withdrawers would be sufficiently vindicated. Nor (3.) Do I propose this question, whether or not, they may lawfully be heard, at any time, or in any circumstances; as for example, if there were no other to be heard, in all Scotland? For I judge, if no other were to be heard in all Scotland, except the Prelates *Curates*, many would not scruple to hear such of them, as were not openly flagitious and profane, or notoriously ignorant; who, as matters now stand, do, and that with Approbation. (4.) I do not think, that such, as are against this withdrawing, will say, that it is necessary, that these Indulged be heard and countenanced, at all times and occasions; and that never, or in no case, such, as are under them, may go and hear others; seeing this was alwayes allowed and permitted, in our best times.

But I shall simply propose the Question thus. Whether may not people lawfully, as the case now standeth, withdraw from those Indulged, whom the Council hath set over them by the *Indulgence*; or are they to owne them, and submit unto them, as over them in the Lord, and as set over them, to be their Pastors and Overseers, by the Holy Ghost; even when there are others, against whom such Exceptions cannot be made, as against them, and whom the Lord doth own and countenance in a remarkable and wonderful manner, to be heard? Or, whether are such to be condemned, or approven and vindicated, who look upon themselves, as called of

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God to bear witness against all the sinful Usurpations, manifest in the *Indulgence*; and the many evils, in the accepting of it, and in the now acting by virtue thereof, by withdrawing from such, that they may hear and countenance others, who preach upon Christs Call, and not according to Mans Order, but contrary thereto?

This being the Question, one might think it strange, that there should be any necessity to Vindicate such, as now withdraw, considering what is said above: Yet in Order hereunto, I shall but, in a few words, propose these following Questions, to the Consideration of any, who are of another judgment, in this matter, As.

1. Seeing by what is said under our *First Head of Arguments*, it is manifest, that the Indulged, in and by the accepting of the *Indulgence*, have wronged our Lord Jesus Christ, who is only Head of the Church, and King in Zion; and that in *Nine* several Particulars: (every one of which might be made use of, as a several Argument, to our present purpose.) How can any blame such, as, out of tenderness to the Royal Prerogatives of Jesus Christ, scruple to owne, and hear them, as formerly?

2. Seeing by the accepting of this *Indulgence*, the Indulged have receded from our Presbyterian Principles, and wronged the Interest and Privileges of the Church, which Christ, her only King, hath granted to her; and that in *five* several Particulars, (out of which particular Arguments might be framed severally) as is clear by what is said under our *2 Head of Arguments*. How unreasonable is it to condemne such, as, out of a tender care to adhere to their Presbyterian Principles, dar not owne and hear such, as formerly?

3. Seeing in *Ten* Particulars, mentioned under our *3. Head of Arguments*, it is made manifest, that the Indulged, by accepting of the *Indulgence*, have, upon the matter, homologated the wicked Supreamacy, in Church-affairs, whereby our Lord is virtually dethroned, and His Church utterly robbed of her Spiritual Power and Privileges: How can we condemne such, who, in detestation of that Supreamacy, and Usurped Power, withdraw from them?

4. Seeing by our Principles, the Free Election and Call of the People, giveth ground to the relation, that a Pastor hath to a Flock, as his Charge, and is the way, how the Holy Ghost setteth men over Flocks, in ordinary: How can these be obliged to owne such for their Pastors, whom they never called, nor had freedom freely to Elect and Call? And this is the case of not a few, yea in reality the case of all, who had others, than such, as had been their Pastors before, set over them; for as for that image of a call, we have said enough above, and particularly, under our *4. Head of Arguments*, to shew that it was of no force, and imported rather a prostituting of that Ordinance and Institution, to be subservient to the corrupt Designes of men, than favoured of true tenderness unto the Ordinance of Christ; which should have led the way, in an orderly settlement, and not have been trailed at the heels of the Councils Order, with which in all Common Sense, it was incompatible, except by way of acknowledging and homologating the Councils Usurpation.

5. Seeing as is clear from the *Seven* Particulars, mentioned under our *5. Head of Arguments*, the Indulged, in their accepting of the *Indulgence*, have fortified and established *Erastianisme*, and *Erastian* Tenets; how shall we condemne such,

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as with-

29. withdraw from them, and rather hear and owne such, as adhere by their practice to former Principles?

6. When we consider the *Twelve* Particulars, mentioned under our 6. *Head* of Arguments, (several of which might be here made use of, as Distinct Arguments, if we designed not brevity) whereby it was made manifest, how the Indulged, in accepting of the *Indulgence*, have acted to the great prejudice of the Church; how can we imagine, that such are to be condemned, who withdraw from them, and countenance such, as are seeking and promoting its good, in the way, countenanced and approved of God?

7. If we impartially consider the *Twelve* Particulars, mentioned under our 7. *Head* of Arguments, (several of which also might be adduced here, as distinct Arguments) whereby it appeared, how these Indulged, in their accepting of the *Indulgence*, have wronged our Cause, and departed from the grounds, upon which our Church is suffering; we will see cause of approving such, as withdraw from them, as matters now stand.

8. Seeing by what is said, it is manifest, that the Entrie of the Indulged unto their present Places, and Stations, is not consonant, but repugnant to our Former Doctrine, Principles and Practices, owned since the Reformation, and confirmed by our Oathes, Vowes, Covenants and Solemne Engagements; besides the Testimonies given thereunto by the Sufferings of our Predecessours, and by our own Sufferings; can we blame and condemne such, who dar not owne them, as lawfully entered into these places?

9. Seeing the Indulged have, by the accepting of the *Indulgence*, and acting by vertue thereof, in so far, departed from Former Principles and Practices; and a difference ought to be put betwixt them, and other Ministers, who, through grace, have hithertill been preserved from stepping aside, whether to Prelacy, or to Erastianisme, in their Practices; who can condemne such, as withdraw from the one, and adhere to the other?

10. Is there not a great difference betwixt the ground, whereupon the Indulged do presently exercise their Ministerie; and the ground whereupon formerly, before they embraced the *Indulgence*, they did, and others to this day do, exercise it? Or shall we say, that it is all one, whether Ministers have the Ministerial Potestative Mission unto such or such places, over which they are set, from Presbyteries, authorized thereunto by Christ, which sometimes they had; or have it from the Magistrat, no wayes thereunto authorized by Christ; as now they have it only? And if there be a difference, how can any condemne those, who cannot now owne them, as they did formerly?

11. Seeing the difference betwixt these two wayes mentioned, is great, and seeing they cannot be compounded in one, nor lawfully made subordinat, the one to the other; is it not undeniable, that these Indulged, betaking themselves now to the Magistrat's Mission, as they have done, have upon the matter, renounced their former Mission, which they had from Presbyteries, acting Ministerially under Christ? And if so, can people be condemned, who do not, nor cannot, owne, and countenance them, as formerly they did?

12. It being apparent from what is said above, on several occasions, that, as the Indulged did deliberately shun to say, that they had their Ministerie onely of Christ, so they

so they do now Act and Exerce the same, as receiving it not alone from Christ, by the Ministerial Conveyance of the Power and Authority to exerce it, which Christ hath ordained; but either as receiving it from the Magistrat alone; (and if so, they cannot be looked upon as Christ's Servants, but as the Magistrat's Servants;) or from Christ and the Magistrat, as Collateral Heads and Fountains of Church-powers; (but thus to speak were blasphemie;) or from the Magistrat, as directly subordinat to Christ; (which is the ground of all *Arminian-Erastianisme*) How can Men be accounted transgressours, who in Conscience cannot owne them, as formerly they did, when they acted and exercised their Ministrie, as receiving it alone from Christ, by the Ministerial conveyance of the Power & Authority thereto, through the hands of his Servants thereunto appointed?

13. Is there no difference to be put betwixt such, as exercise the Ministrie in subordination unto, and in a dependance upon the Council, as being their *Curats*, & as accountable to them; and others, who, as they are subordinat unto, so they owne their dependance onely upon Christ, in the way He hath prescribed, receiving Instructions only from Him, in His appointed way, to regulate them, in the Exercise of their Ministrie, and hold themselves accountable only to Him, in that way? And seeing it is manifest, that there is a very great difference; Who can condemne such, as withdraw from the Indulged, who have their Instructions, to regulate them in the Exercise of the Ministrie, from the Council, (as was manifested above,) as accountable only to them, and to such, as they are directly subordinat unto; that is, the King; and not from Christ Jesus, as onely Head of the Kirk?

14. Seeing by receiving the *Indulgence*, with their Instructions &c. the Indulged do, upon the matter, recognise a Supream Head-Power over the Church, and Church-affairs, in the Magistrates, to the denying of Christ's sole Headshipe, and dethroning of Him (as hath been, on several occasions, cleared above;) how can such be condemned, who scruple to owne them, in that case, or to countenance them, while they act so?

15. Seeing the Indulged, being set over the people, specially designed and appointed them by the Council's order, and not in the way appointed by Christ, can not be said to be set over these people, as their Overseers, by the Holy Ghost; (as hath been evidenced above;) how can such be blamed, who cannot owne them, as their Overseers, and as made Overseers to them by the Holy Ghost?

16. Seeing we have made it manifest above, that the entrie of the Indulged hath a manifold relation unto the Usurped Supremacie, in Church-affaires; and that, as it floweth therefrom, is secured thereby, and dependeth in its legal being thereupon, as its Charter; so it contributeth to the strengthening, securing and encouraging of the Usurpation and seeing this Supremacy and Sacrilegious Usurpation of the Prerogatives Royal of our Lord Jesus, and Subversion of the Rights and Privileges of the Church, is the Top-point of all our Defection, and the Center, into which all the Lines of our Apostasie concur and agree; can any, who would not joyne in this defection, and have a proportionable part of the guilt, charged upon them, give countenance and approbation unto those Indulged, whose entrie is so neer a kin unto that Supremacy? Or can any, who desire to be free of all compliance with this abominable evil, carry towards those, who are now set over them by vertue of the Supremacie, as formerly?

17. The Supremacy now regnant, and the grand National sin, being such an evil, as all, that would be kept free of the plagues, that the same will bring upon the Land, must, in their places and Stations, bear witness against the same: And seeing Common people have no other way Patent or Practicable for them, to give this plaine and honest Testimony against this hainous Usurpation, in any publick manner, but by withdrawing from such, as are set over them by vertue of this Usurped Power; can those be condemned, who, out of Conscience of their duty, zeal to Christ's Prerogatives, Care to keep their garments unspotted with publick regnant evils; and out of a desire to minde their duty, in this day of so general a Defection, do withdraw from the Indulged, in order to the giving of this publick Testimonie, in their Place and Station?

18. Seeing by the Particulars, mentioned under our 8. *Head of Argu.* it is manifest, that the accepters of this *Indulgence* have thereby contributed to the strengthening of the hands of Prelates and Prelacie, which all are obliged by their Covenants, to endeavour, in their Places and Stations, to extirpat; how can such be condemned, who withdraw from them, while standing thus in a contributing posture?

19. As upon the one hand, the disowning of the *Curats* is a disowning of the Prelates and their Power; and a countenancing of them by hearing them, and submitting to their Ministrie is accounted by all (as indeed it is) a countenancing of Prelacy; is not also, upon the other hand, an owning of the Indulged, and a Submitting to them and their Ministrie, a submitting to the Supremacy; seeing (as is above cleared and confirmed) the Curats (at least such as, were ordained Ministers before the re-establishment of Prelacy, and have submitted thereto) do no more depend upon Prelacy, as to the present exercise of their Ministrie, than the Indulged do depend upon the Supremacy, or on the Rulers, acting by vertue of the Supremacy?

20. Seeing the Act of *Glasgow*, banishing Ministers from their own Charges, cannot dissolve the relation, that was betwixt the Ministers, and their Flocks; how can such, as stand still related unto their former Pastors, (which is the case of some) accept of others, set over them by the Council, & not withall homologat the Councils deed, and declare the former relation utterly dissolved?

21. Seeing the Indulged, in accepting of the *Indulgence*, have in several Particulars violated our Covenant-Obligations (as was shown in the 9. *Head of Argu.*) Can any be blamed for with drawing from those, who have so entered, in this day, when God is about to plead with the Land, for a broken Covenant?

22. If all be obliged to resist & withstand *Erasianisme*, by the Solemne Engagment to duties; what less can be expected of Common People, in their privat Stations, in order to an answerable walking unto this Engagment, than a with-drawing from such, as are set over them by a Power, purely *Erasian*? And can such be thought to minde their Engagment in this particular, who willingly comply with the *Erasian* Command and Injunction, and accept of such, as are set over them by an *Erasian*-Order?

23. Seeing the Indulged, in accepting of the *Indulgence*, have receded from our Principles, and wronged our Cause as is undeniable by the *Twelve* Particulars, mentioned under our 7. *Head, of Arg.* can they be justly condemned, who now with-draw from them?

24. Seeing

24. Seing by accepting of the *Indulgence*, the *Indulged* have highly prejudged the good of our Church (as is manifest from the *Twelve Particulars*, mentioned under our 6. *Head of Arg.*) How can such be condemned, who refuse to countenance them, while thus stated in and by the *Indulgence*?

25. Seing, as was cleared above, the *Indulgence*, was devised of purpose, to annul all Field- and House-meetings; and seing it cannot be denied, that these Field- and House-meetings, being so eminently countenanced of the Lord, are also to be countenanced of Men; can any say, that they, over whom the *Indulged* are set by the Council, are not obliged to withdraw from them; and not withall say, that they are not obliged to waite upon these blessed Meetings, though thereby the Minister and other people, should be much discouraged? And would not this be a manifest homologating and concurring with the Council, in carrying-on of this wicked Designe? And how can such be condemned, who withdraw from them, who have, in accepting of the *Indulgence*, acted so prejudicially unto these blessed Meetings, as is evidenced in our 11. *Head of Arguments*?

26. Seing it is undeniable, and daily experience doth confirme it, that an admirably rich blessing attendeth the labours of such, as preach contrary to Mans Law, upon Christs sole Warrant and Allowance; what cruelty to Souls were it to say, that they, who have none to preach to them, but such as the Council (none of the best discerners of Ministerial Gifts, nor endued with Power from Christ for that end, to try the Qualifications of Ministers) hath set over them, must not withdraw from these, to seek their food, where God is giving it largely, and is thereby encouraging and inviting all to come? We would, doubtles, think this hard dealing, were we, as to our temporal food, to be kept at a set sober diet, wherein we found little nourishment, and restrained from going to fattening and strengthening feasts. If it be said, That it is the peoples fault, that they grow not more under the preaching of such, as are set over them. I need not contradict it, for strengthening of my Argument; but only say, if the blessing be withheld at home, though justly, because of sin; let the people go where they may finde the blessing, of Gods free grace, notwithstanding of their Provocations, as others have found it: Let them go, I say, where free grace may prevent them. Nay, I think the *Indulged* themselves, upon this very account, if they desire (as I would hope they do) the Spiritual Edification of the people, should beseech and obtest all their People, to go unto these richly blessed Conventicles; and desire these Conventiclers to come and choise the most convenient place, in all their bounds, for a Field-meeting, that their people might partake of the good thereof; and this Course (if it had been taken) would have, I think, endeared them more unto all, that feared God; and had (no doubt) prevented much of this animosity that is, as I apprehend, betwixt them, and the Field-Preachers; for it would have defeat the Designe of the Council, and have contributed to the carrying on of the Work of the Lord.

27. Seing all Persons stand obliged by their Covenants, to maintaine the Prerogatives of Christs Crown, the Rights of the Church, and Presbyterial Government; how can they, who would make conscience of the saids Covenants, owne such, as are set over them, nor according to the Principles of Presbyterian Government, nor in compliance with the Prerogatives of Christ, nor so as the Rights of the Church are so much as pretended to be observed, but in a way rather repugnant unto all these, as hath been manifested above?

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28. Seing many of these Indulged have a relation to their own Flocks, from which they were thrust by violence; and it will not be said, that what the Rulers did, in that matter, did utterly annul their relation; How can they be related as Pastors to these Congregations, over which they are set by the Council? We do not acknowledge or justifie Pluralities. And if they have not the relation of Pastors unto these new Charges, people are not bound to carry, as their flock; and so may lawfully withdraw, and hear others, as well as them.

29. Seing It is manifest from what is said, that the Indulged, by accepting of the *Indulgence*, have, upon the matter, condemned all the wrestlings of the Church of *Scotland*, from the very beginning of our Reformation, against the *Erastian* Usurpations and Encroachments of King and Court, in the Dayes of King *James*, who yet, in the height of his Usurpations, and arrogate Supremacy, never did what the Council did, in the Matter of the *Indulgence*; He never took upon him, to plant and transplant Ministers by himself, or by his Council immediatly, and onely: yea and have condemned all their sufferings to bondes, banishment & bloud, for the Privileges of the Church, and the Crown-Rights of Christ, the only King in Zion; how can people, be pressed or urged, to look on such, as their lawfully settled Ministers, and be condemned for withdrawing? Must not the compliers with them in this, be guilty of the same sin of spitting in the faces of all our ancient witnesses; and saying, their Sufferings were for trifles? Do not they, who do more, than ever these were tempted to do, and that without the least hesitancy, say, that these suffered as fools?

30. Seing the entry of the Indulged by the Councils Order is such, as hath not a Parallel, in all the Christian world, for any thing I know; for, no where shall we finde Ministers planted in Particular Charges, and transplanted from one to another, immediatly by the Magistrate: Yea I doubt, if Ministers were thus placed, in the *Palatinate*, (now laid waste and desolat, in the righteous judgment of God,) where the hemlock of *Erastianisme* first grew up; can any blame the reformed Professours of the Church of *Scotland*, where that weed hath been cast over the hedge, with a solemne Vow and Covenant, never to owne it againe, in resenting this manner of Entry, by withdrawing from those, that are set over them, in such a singular and shameful manner?

31. Do we not make use of this Argument against the Prelates, that they are chosen, named and deputed solely by the King, notwithstanding of that mock-election, made by the Chapter of the See, which must fall upon the person, nominated by the King, or be null? But where is the strength of it now, when we admit of lesser Bishops, immediatly nominated, deputed, and impowered by the Council, notwithstanding of that mock-call by the people, and Election of the same singular person, which was said somewhere to be had?

32. How can any blame such, as withdraw from those, who, by entering in at the door of the *Indulgence*, have made way for the wreathing of an yoke upon the necks of the Ministrie of *Scotland*, in all time coming, to the utter subversion of all Ministerial liberty, and of the Freedom and Privilege of the Church: For, if hereafter no man shall be settled in a Church but by the King and his Council immediatly, and every Minister shall be wholly at the disposal of the King and Council, to be planted, or transplanted, as they please, where were we? And where should

should our Church-liberties then be? And whom had we to thank for breaking the ice?

33. If the Parliament, that carried on the Engagement *Anno* 1648. had thrust out a number of the Ministers, and thereafter their Committee had planted them elsewhere, up and down the Land, as they pleased; I would ask such as were Ministers, in those dayes, and were against the Engagement, or were Members of the Assembly 1649. how such Ministers, as willingly would have obeyed the Orders of the Committee of Estates, and gone thither, where they were Ordered to remaine, had been looked upon, when the Engagement to duties was drawn up? And whether, or not lesser faults in Ministers, were not punished with simple Deposition? If then such a fault, as this, had been so abominable then, shall it be so lovely now, that none may discountenance or withdraw from such persons, as have carried so, at this time?

34. Is it not strange, that people shall not have liberty to withdraw from those, who by their way of entry, and carriage before the Council, have given such open and manifest Scandal unto the Church of God, and unto Strangers, unto Foes and unto Friends, at home and abroad, to the Rulers, to the Prelates and their *Curats*, to Good and Bad; yea and unto all the Churches of Christ; and have laid such a stumbling block before all the Posteritie; as is manifested above, in the 12. *Head of Argum.*?

35. When poor people, who have been hitherto in the dark, as to the evils of this *Indulgence*, both as to its Ground, Rise, Conveyance, Tendency, and designed End, beginne now to get their eyes opened, and to see its connexion with, dependance upon, and confirmation of the fearful Usurpation of the Supremacy: what a griefe of heart is it to hear persons pleading against their withdrawing from such, when they see where they are, and how they cannot countenance such, and be free of all accession to the sinful strengthening and confirming of the Encroachments already made, and to the encouraging unto a further progress unto the same evil?

36. When there is such a combination for upholding of this evil of the *Indulgence*, and severall (as is reported) banding or covenanting together, to keep the *Indulgence* in credite, or at least, not to speak against it; how can such, as are convinced of the dreadful evil thereof, not think themselves called of God, to do their best against it? And how can any be urged to hear and countenance them, who are Indulged, when the controversie is thus stated and prosecuted, without being also urged to approve of the *Indulgence*, contrare to their light?

37. Seeing the Indulged, by their accepting of this *Indulgence*, did fall from their former zeal and steadfastness, in choosing suffering rather than sin, and have, upon the matter, condemned what formerly they approved of, and have approved that, which formerly they condemned, as we saw above, in the Six Particulars mentioned and explained in our 10. *Head of Argum.* How can those be now condemned, who cannot owne them, as they did formerly?

38. Do we not say, that Countenancing and hearing of the *Curats* is an Homologating and a virtual approving of their sinful way of Entry? And shall not now, the Countenancing and hearing of the Indulged, be an Homologating and a virtual approving of their sinful way of Entry? How then can such be condemned, who,

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out of a desire to be kept free of this sin, dar not countenance or hear them, as formerly :

39. I would gladly know one Argument, that can be made use of to condemne now, as matters stand, withdrawing from and refusing to hear the Indulged, that either hath not been; or may not yet be, with equal force, made use of, to prove it unlawful to withdraw from, & to refuse to hear the *Establiſhed Curats* : And ſeing now none dar condemne ſuch, as withdraw from the *Curats*; why ſhall theſe be condemned, who withdraw from the Indulged?

40. When the question is now ſo ſtated, by and among the people, as that countenancing and hearing of the Indulged, is looked upon, as an approving of the *Indulgence* it ſelf, the people not knowing the uſe and practice of Metaphyſical diſtinctions; how can ſuch be urged to hear and countenance them, who, by ſo doing, muſt look upon themſelves, as approving what otherwiſe they condemne, contrare to *Rom. 14: 22, 23*?

Many more Arguments, may be gathered out of the ſeveral Particulars, we mentioned above, under the ſeveral *Heads of Arguments*; but we ſhall ſatisfie our ſelves with theſe, at preſent, leaving the Underſtanding Reader to make his owne uſe of the reſt, that are not made uſe of here.

For further ſatisfaction, in this matter, to ſuch, as would have Formal Arguments, I ſhall only ſay, That by what Arguments, Principally, we vindicate the People, their withdrawing from the *Curats*, by the ſame, *mutatis mutandis*, by changing or adding ſuch words, as muſt be changed or added, we ſhall be able to vindicate the people their withdrawing from the Indulged. I ſaw lately a *Vindication of the perſecuted Miniſters and Profeſſours in Scotland*, written by a faithful Miniſter of Chriſt, now in Glory; and found that the Chiefe of theſe Arguments, whereof he made uſe, to vindicate the people their withdrawing from the *Curats*, were applicable to the queſtion now under debate, concerning the hearing or withdrawing from the Indulged, as I ſhall make appear by theſe Inſtances.

His *fiſt Argument* *Pag. 75.* was this. They, who have no juſt Authority, nor Right to officiat fixedly, in this Church, as the proper Paſtors of it, ought not to be received; but withdrawn from. But the Prelates and their adherents the *Curats* (adde, for our caſe, the *Indulged*) have no juſt Authority or Right to officiat in this Church, as her proper Paſtours. Therefore they ought not to be received, but withdrawn from. All the debate is about the *Minor*, which he thus maketh good. They, who have entered into, and do officiat fixedly in this Church, without her Authority and Conſent, have no juſt Authority or Right ſo to do. But the Prelats and their *Curats* (adde, the *Indulged*) have entered into this Church, and do Officiat therein, without her Authority and Conſent. Therefore they have no juſt Authority. The *fiſt Propoſition* (ſaith he, and we with him) is clear, and we ſuppoſe, will not be gainsaid by our Antagoniſts; ſeing the power of Miſſion, of Calling & of Sending of ordinarie fixed Paſtours, is only in the Church, and not in any other, as all Divines do aſſert. The *Second* is evident from matters of fact; for there was no Church-Judicatory called, or convoked, for bringing of Prelats in to the Church; (adde, not for ſetting of the *Indulged* over their reſpective charges) all was done immediately by the King and Acts of Parliament (adde, *Acts of the Council*) without the Church. A practice wanting a precedent in this, and (for any thing we know) in all other Churches.

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He proposeth an Objection in behalf of the *Curats* *Pag.* 78. which I know the *Indulged* will use for themselves, *to wit.* They have entered by the Church. And his answer will serve us, which is this. This we deny, the contrary is clear, from constant Practice; for the *Curats* (adde, the *Indulged*) came in upon Congregations, only by the Bishop and Patron (adde in our case, *only by the Council and Patron*) who are not the Church, nor have any power from her, for what they do, in this: All their right and power is founded upon, and derived from the Supremacy, and Acts of Parliament, and not from the Church; in which the Bishop (adde the *Council*) acts as the Kings Delegat and Substitute, only impowered thereto by his Law (adde *Letter*) So that the *Curats* (adde, the *Indulged*) having and deriving all their power from the Prelates (adde, the *Council*) cannot have the same from the Church; none gives what he hath not. But, 2. The Prelats (adde, the *Council*) not being the lawful Governing Church, any, that enter Congregations by them, cannot be said to enter by the Church. Read the rest there.

His *second Argument* is proposed *Pag.* 79. 80. thus. Those that receive and derive their Church power from, and are subordinat, in its exercise, to another Head, then Christ Jesus, should not be received and subjected to, as the Ministers of Christ, in his Church. But the Prelates and their *Curats* (adde, the *Indulged*) do receive and derive their Church Power from, and are subordinat, in its exercise, to another Head, than Christ Jesus. Therefore they ought not to be received &c. The *first Proposition* will not be denied: He proveth the *second* thus. Those Officers in the Church, professing themselves such, that derive their Church-power from, and are subordinate, in its exercise, to a Power truly Architectonick and Supream in the Church, beside Christ, do derive their Power from, and are subordinat, in its exercise, to another Head, than Christ Jesus. But so it is, that Prelats and their *Curats* (adde, the *Indulged*) do derive their Church-Power from, and are subordinat, in its exercise, to a Power truly Architectonick and Supream in the Church, beside Christ. Therefore &c. The *Major* is evident; for whoever hath a Supream Architectonick Power in and over the Church, must be an Head to the same, and the Fountaine of all Church-power. The *Minor* is clear from the *Act of Restitution* (adde, the *Act* *Explicatory of the Supremacy.*)

His *third Arg.* *Pag.* 8. is long, I shall cut it short thus, that it may serve our case. If Churches required by Law (or, *Act of Council*) to submit to Prelates, and to their *Curats* (or, to the *Indulged*) thus thrust in upon them, had their own Pastors set over them, conforme to Gods Word; then it is no sinful Separation, for Churches, in adhering to their Ministers, not to receive, or submit to the Prelats and their *Curats* (or, to the *Indulged*.) But the former is true. Therefore &c. The truth of the *Major* is founded on this, That the obligation betwixt Pastor & People standeth, notwithstanding of the Magistrat's Act. And the *Minor* is true, (I suppose) as to some Churches, over which the *Indulged* were placed by the Council.

His *fourth Argument* *Pag.* 90. will serve us; It is thus. The way of the *Curats* (*Indulged*) entering into Congregations, puts a bar on our subjection to them, that we dar not owne them, for the lawful Pastors of the Church; for as their entry is without the Church, and the way that Christ hath settled in his House for that end; so they have come in on Congregations, in wayes, which we judge corrupt, and without all warrant from the Word of God, & the practice of the Primitive times. In

search of Scripture and pure Antiquity, we finde, that Ordination (adde, and *Psestative Mission*) by Ministers, the Election and Call of the people, was the way, by which Ministers entered into Congregations, and not the Institution and Collation of the Bishop (adde, *nor the Warrant and Allowance of the Magistrat*) nor the Presentation of Patrons. He addeth. 1. This way of their entry by the Bishops Institution and Collation (adde, the *Councils Warrant and Order*) doth suppose that their Ordination (adde, *Psestative Mission*) doth not sufficiently impower them to the exercise of the Ministerie, (adde, *in that Particular Charge*) without a further licence; which is contrare to the end of Ordination, and the Nature of the Ministerial Power, that by vertue of its ends, and the command of Christ, doth binde the Person, invested therewith, to its Exercise &c. 2. The Patrons Presentation, as it takes away the Peoples right of Election, so it suppones Ordination to give no right to the maintinance, or at least suspends it &c.

His *Fift Arg.* is *Pag.* 91. thus framed, and may serve us, as to some. Many Congregations, into which the Curates (adde, the *Indulged*) are entred, are under a standing Obligation to their former Pastours; not only on the account of the Pastoral Relation betwixt them, but for the Engagements they came under to such, in their call and reception of them; which is not dissolved by any thing, we have yet seen; Sure we are, the Magistrate cannot do it, &c. (I hope, I need not, in reference to the *Indulged*, mention what followeth, in answering of the Objection, taken from *Salomons* removing of *Abiathar*).

His *Sixt Arg.* *Pag.* 94. is this, If Congregations have a just Right and Power of Electing and Calling of their Ministers; than those, that come in upon them without this, are not to be esteemed their Pastors, nor to be subjected to, as such, by Congregations, but to be withdrawn from. But here it is so, &c.

His *Seventh Arg.* *Pag.* 95. is this; Hearing of, submitting to and receiving of Ordinances from the Curats alone (adde, the *Indulged*) and not from others, is enjoined by Law, and required, as the signe of our compliance with and subjecting to the Present Lawes, bringing in and establishing of Prelacy (adde, *Erasianisme* and the *Supremacie*) and other Corruptions, which we dar not owne. Hearing and receiving Ordinances from such, hath a twofold bar put upon it to us; an unqualified Instrument or Object; and the respect that by the Law it is made to have to the corruptions obtruded upon this Church, as the signe of our compliance with and subjection to these. The Command of God about hearing doth constitute the Object and Instrument (what and whom) we should hear: As we are not to hear all Doctrines, but these that are sound, so we are not to hear and receive all, that pretend to come in Christs Name, but those of whose Mission we have some rational evidence, at least, against which we have no just exceptions. This, as to the Curats, (adde, the *Indulged*) is made out by the former Arguments. But beside this, the signe appointed and determined by Law, and required of all in this Church, is, that they not only withdraw from, and do not hear the Ejected and Non-conforme Ministers; but that they hear and submit to Ministers, that comply with and enter into this Church, by Prelates (adde, or by the *Council*) which to us maketh hearing, and receiving of Ordinances from them, a practical approbation of, and compliance with Prelacy (adde, *Erasianisme* and the *Supremacy*) and other corruptions contained in the Law, for such is the connexion betwixt the signe and the thing signified, that

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he that yields to give the signe, doth, in all rational construction, approve the thing signified.

These are his *Principal Arguments*, used in defence of such, as cannot, go to hear and subject to the *Curats*; and whether they will not as forcibly conclude against hearing of and subjecting to the Indulged, the Reader is free to judge.

Objections Answered.

IF any should *Object*, whether in behalfe of the *Curats*, or in behalf of the *Indulged*. That they are Ministers of the Gospel, and therefore are to be heard, and Ordinances should be received from them; for the Ministerial power giveth to the Persons, invested therewith, not only a right to preach the word, and dispense Ordinances, and maketh their Acts valide; but it bindes them to the doing of those, and all others to submit to them, in the exercise of their Power; as is apparent in all relations, and the mutual duties, that the Persons under them owe to one another; So that if Ministers be bound to preach the Gospel, and dispense its Ordinances, the people must likewise be obliged to hear, and receive Ordinances from them. To this *objection* he *answereth* (and we with him, as to the case now in question) denying the Consequence: For (1.) The true state of the question is, whether we should receive and submit to them, as the lawfully Called and Appropiari Pastors of this Church; which for the former Reasons we deny; for although Intruders upon the Church be Ministers; yet their Intrusion puts a sufficient bar on Peoples reception of and submission to them: wherefore in so far as hearing, and receiving of Ordinances from Prelatical Ministers (adde, *Indulged*) is, in our case, an acknowledgment of this, we refuse it. (2.) Peoples obligation to submission to Ministers, doth not immediately flow from the being of the Ministerial Power and Authority, in those clothed therewith, there are beside this, other things that must concur, to the causing of this Obligation, which, if they be wanting, will make it void, or, at least, suspend it &c.

If it be further *Objected*, in favours of the Indulged, That Eminent and worthie *Mr Livingstoun*, though he saith much against the *Indulgence*, in his Letter to his Parishoners; yet he adviseth them sometime to hear *Mr John Scot*, who was Indulged. *I Ans.* I shall readily grant, that several were in the dark, at the first, in the matter, either through want of full information concerning many circumstances, which, if known, would have given greater light in the matter; or through ignorance of the real Designe & Intendment of the Rulers, which afterward came more & more to light; or through a fear, that Field-meetings should either cease, or be utterly suppressed; & therefore judged it more safe for people to hear the Indulged, than either to hear none, or none, but the *Curats*. And though I do not certainly know, which of these grounds moved that Eminent Seer and Servant of Christ, to advise so; yet, considering that in all that Letter (to my remembrance) he doth not speak of their going to the Field Meetings (which I suppose none, that knew him, will think, that he was an enemy unto,) I am apt to think, that the Apprehension he had of the ceasing of the Field-Meetings, at least, in that part of the Countrey (in which, I doubt, there had been any, or many, at least, before his writing of that Letter) did move him, to advise them sometimes to hear that Indulged Person, as

Judging that better, than that they should hear none, or none but that wretch, who was obtruded upon them; and as supposing, he would not pervert them by his Doctrine, but would give free and faithful Testimonies unto the Truth, and against all publick Corruptions. Further, I suppose, it is well enough known, that at the first, not a few Ministers were in the dark, as to the question of hearing of the *Curats*, and upon one ground or other, did not perceive, that people were called of God; to withdraw from the obtruded *Hirelings*, & so durst not positively advise thereunto; who now, I hope, will be as loath to advise people to forsake other occasions, and go hear the *Curats*. And what wonder if the matter was so, as to the Indulged; Seven or Eight years ago?

Obj. 3. But, till of late, that some few inconsiderat Persons, took this in their head, to preach against the *Indulgence*, and to cry-out against the unlawfulness of hearing of the *Indulged*, as if that had been the only thing necessary; for which many even of the Non-Indulged are offended with them, there was not so much as a matter heard, but people heard the Indulged without scruple, and were edified by their Ministry. *Ans.* The *Curats* might alleadge the same, as well as the Indulged; But, as it would not help them, so I suppose, It can not well help the Indulged. Whether these Persons be considerat or inconsiderat, I am not fit to judge; to their own Master they stand, or fall; only I wish, that such, who call them Inconsiderat, would examine their grounds, & remember that, *judge not lest ye be judged &c.* If this be founded upon some expressions of theirs (whether true or false, I know not) I with that the Expressions of others gave not ground for the same judgment. I know, not a few are offended with them; but considering what is said above, concerning the sinfulness of the *Indulgence*, &c. I dar not be offended with them; (& I would faine hope, that second thoughts of the matter shall worke a change on these Brethren) But must rather blesse the Lord on their behalfe, & judge them worthie of praise, who, over the belly of so many discouragements, did set the trumpet to their mouth, to shew *Scotland*, & the Ministerie, and People thereof, that great sin; and this, I know, is consistent with their insisting upon the one thing necessary; which I hope also their practice declareth, and the fruits of their labour proclaim. But as to the long silence, that hath been, I shall say little; yet it is known, that at the very beginning, people were calling the Indulged the Councils Curats & how it came, that this spark did not break forth into a general flame, I shall not enquire; acquiescing in this, That the Lord had a further discovery to make: For, had the first Ten, who were Indulged, been thus discountenanced, we had seen no moe accepting of that supposed favour; yea the first accepters had quickly shaken that onerous favour off their shoulders. It may be also, that some suppressed their judgment, concerning the not-hearing of these Indulged, or did not countenance any such motion, when made, either out of a preposterous affection and tenderness to the Brethren, whom they honoured and much esteemed, and that deservedly, for their eminent Enduements, and sometimes Usefulness unto the Church; or out of a tender care of keeping up of Union, and guarding against all motions appatently tending to troublesome Distractions & Divisions, or upon some other account, best known to themselves. Neither is it unlike, that many were really in the dark, as to the thing: But however, light is light, whoever they be that bring it to us; and as God may Employ whom He will, to this end, so; how inconsiderable so ever the Instruments be, who are employed; and whether,

whether they come sooner or latter, the light, when it is come, should be welcomed, because of Him, that sent it; yea and embraced with thankfulness, and with humble submission.

Obj. 4. All or most of the Non-Indulged, Faithful, and Zealous Ministers in the Land are for hearing of the Indulged; and only a few, and those of the younger sort, with the ignorant people, are against it. *Ans.* Though I would hope, few should lay any weight on this Objection: and it were enough to desire such, who did lay any weight thereon, to consider *Job. 7: v. 47, 38, 49.* with *Mr. Hutchison's* Notes thereupon, specially the 7. and 9. Yet I shall only say, That an Impartial Observer will finde, that for the most part, in all the steps of our trial, since this last overthrow came, God hath made use of the nothings to break the ice to others. Holy is our Sovereigne, who doth what He will. This might be made out by Instances; but I suppose, the matter is so manifest, that I need not insist thereupon, the matter about hearing of the *Carats*, being a sufficient evidence of what I have said.

Obj. 5. Now when we are in hazard to be over-run with Popery, is it seasonable, that such questions should be started, to breake the remnant in pieces; and thereby to make all a prey for the man of sin? Were it not better that we were all united as one, to withstand that Inundation? *Ans.* I grant, the apprehensions of the Man of sins stretching out his wings, & filling the breadth of *Immanuel's* land, seemeth to me not altogether groundless; yea it is much to be feared, that by Popery and Bloud, the Lord shall avenge the quarrel of His Covenant, and the contempt of His Gospel: And therefore I judge, it were our duty this day, to be preparing ourselves to meet the Lord, thus coming to be avenged on a generation of His wrath, with ropes about our necks, giving Him the glory of His Righteousness, and acknowledging ourselves the basest of sinners; that so we may be in case, to say, in the day, when the small remnant of the glory, that is yet to be seen on the mountains, shall depart out of sight, *Blessed be the Glory of the Lord from his place.* Our Union, while the accursed thing is among us, will be but a conspiracy, and will really weaken us before the Lord. If we be not tender of Christ's Headship, and of what depends thereupon, and of the least pin of his Tabernacle, pitched among us; how can we expect His help, when we are to run with the horsemen? Will they not have most peace in that day, who have been jealous for the Lord of hosts, and for his Crown Interests - And who knoweth, but they shall finde a shelter and a chamber of Protection, in the day, when the overflowing scourge shall come, who are now following the Lord, and his Glory, through Mountains and Valleys, and are, upon that account, suffering Tossings, Hardships and Harrassings? How little security, I pray, shall the wings of the Supremacie be able to give, in that day? our Union in Duty, and upon the old grounds of our received and sworn Principles and Maxims, would prove our strength, But if this shall not be had, as then every one may certainly conclude, that there is a dreadful stroke at the doores, and that this division, upon such an account, is a certaine fore-runner of a dark and dismal Dispensation; so, it will be every mans duty, who would have peace, in the day of God's contending against a generation of Backsliders and Revolters, to be mourning for the abominations of the Land and for this of the *Indulgence*, among the rest, and to be adhering to the Lord, and unto our Principles, which the Lord hath owned and countenanced, though he should, in a manner, be left alone. Will

FINIS

8882

judging that better, than that they should hear none, or none but that wretch, who was obtruded upon them; and as supposing, he would not pervert them by his Doctrine, but would give free and faithful Testimonies unto the Truth, and against all publick Corruptions. Further, I suppose, its well enough known, that at the first, not a few Ministers were in the dark, as to the question of hearing of the *Curats*; and upon one ground or other, did not perceive, that people were called of God; to withdraw from the obtruded *Hirelings*, & so durst not positively advise thereunto; who now, I hope, will be as loath to advise people to forsake other occasions, and go hear the *Curats*. And what wonder if the matter was so, as to the Indulged, Seven or Eight yeers ago?

Obj. 3. But, till of late, that some few inconsiderat Persons, took this in their head, to preach against the *Indulgence*, and to cry-out against the unlawfulness of hearing of the *Indulged*, as if that had been the only thing necessary; for which many even of the Non-Indulged are offended with them, there was not so much as a murmur heard, but people heard the Indulged without scruple, and were edified by their Ministrie. *Ans.* The *Curats* might alleadge the same, as well as the Indulged; But, as it would not help them, so I suppose, It can not well help the Indulged. Whether these Persons be considerat or inconsiderat, I am not fit to judge; to their own Master they stand, or fall; only I wish, that such, who call them Inconsiderat, would examine their grounds, & remember that, *judge not lest ye be judged &c.* If this be founded upon some expressions of theirs (whether true or false, I know not) I wish that the Expressions of others gave not ground for the same judgment. I know, not a few are offended with them; but considering what is said above, concerning the sinfulness of the *Indulgence*, &c. I dar not be offended with them; (& I would faine hope, that second thoughts of the matter shall worke a change on these Brethren) But must rather blesse the Lord on their behalfe, & judge them worthie of praise, who, over the belly of so many discouragements, did set the trumpet to their mouth, to shew *Scotland*, & the Ministerie, and People thereof, that great sin; and this, I know, is consistent with their insisting upon the one thing necessary; which I hope also their practice declareth, and the fruits of their labour proclaime. But as to the long silence, that hath been, I shall say little; yet it is known, that at the very beginning, people were calling the Indulged the Councils *Curats* & how it came, that this spark did not break forth into a general flame, I shall not enquire; acquiescing in this, That the Lord had a further discovery to make: For, had the first Ten, who were Indulged, been thus discountenanced, we had seen no more accepting of that supposed favour; yea the first accepters had quickly shaken that onerous favour off their shoulders. It may be also, that some suppressed their judgment, concerning the not-hearing of these Indulged, or did not countenance any such motion, when made, either out of a preposterous affection and tenderness to the Brethren, whom they honoured and much esteemed, and that deservedly, for their eminent Endowments, and sometimes Usefulness unto the Church; or out of a tender care of keeping up of Union, and guarding against all motions appatently tending to troublesome Distractions & Divisions, or upon some other account, best known to themselves. Neither is it unlike, that many were really in the dark, as to the thing: But however, light is light, whoever they be that bring it to us; and as God may Employ whom He will, to this end, so; how inconsiderable so ever the Instruments be, who are employed; and whether,

whether they come sooner or later, the light, when it is come, should be welcomed, because of Him, that sent it: yea and embraced with thankfulness, and with humble submission.

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I
List of particular papers in this
book

The Kings Letter to the Council for
the Indulgence & pardon Aug. 14.
List of the Ministers Indulged to preach
to the Council 18. 24. 26. 33. 35. 36. 37.
The private Councils act against them 20.
The Indulged ministers declining to the
Council 22.
Act of parliament asserting his Majestys
supremacy 26.
The Councils proclamation that the
Indulged observe their Injunctions 33.
Bishops Act against non conforming ministers 35.
An other of Injunctions to them 38.
An other Act of theirs 1672. About all
outlawed ministers not Indulged 39.
Mr John Burtons Reasons to the Council
why he could not submit to the Indul-
gence 42.
Reasons by others on the same Head 48.
Act obliging the Indulged Ministers to
observe his Injunctions 54.
A proclamation against those of them that
obeyed not the same 57.
Reasons against the Indulgence 85. to 115.
Objections answered 117. to 128. 159. to 162.
A vindication of such as scruple to hear
from the Indulged 178.